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THE  
JOURNAL OF THE HOUSE

OF THE  
*Oregon*  
TWENTIETH LEGISLATIVE ASSEMBLY, *House*

OF THE  
STATE OF OREGON

SPECIAL SESSION

1898



SALEM, OREGON  
W. H. LEEDS, STATE PRINTER  
1898

Dup. U. of C.  
Oh.

## OFFICERS OF THE HOUSE.

*Speaker* — Hon. E. V. Carter, Ashland, Jackson county.

*Chief clerk* — A. C. Jennings, Eugene, Lane county.

*Assistant clerk* — A. V. R. Snyder, McMinnville, Yamhill county.

*Reading clerk* — Frank Motter, Portland, Multnomah county.

*Calendar clerk* — D. B. Mackie, Portland, Multnomah county.

*Sergeant-at-arms* — A. D. Griffin, Portland, Multnomah county.

*Doorkeeper* — M. P. Isenberg, The Dalles, Wasco county.

*Mailing clerk* — B. C. Curry, Oregon City, Clackamas county.

*Page* — Chas. Lane, Salem, Marion county.

*Page* — Van Sutherland, Salem, Marion county.

*Page* — Robt. Duncan, Salem, Marion county.

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## MEMBERS OF THE HOUSE.

*Baker*—W. E. Grace.  
*Benton*—R. J. Nichols.  
*Benton and Lincoln*—G. E. Davis.  
*Clackamas*—George Knight, J. L. Kruse, Alex. Thompson.  
*Clatsop*—C. J. Curtis, Johan E. Young.  
*Columbia*—J. E. Hall.  
*Coos*—George P. Topping.  
*Coos and Curry*—E. S. Platts.  
*Crook*—J. N. Williamson.  
*Douglas*—James W. Conn, W. W. Wilson, G. W. Wonacott.  
*Gilliam*—S. G. Hawson.  
*Grant and Harney*—R. N. Donnelly.  
*Jackson*—E. V. Carter, E. A. Sherwin, Matthew Stewart.  
*Josephine*—James W. Virtue.  
*Klamath and Lake*—W. A. Massingill.  
*Lane*—F. M. Brattain, W. F. Gray, Ivan McQueen.  
*Linn*—D. M. Jones, H. M. Palmer, J. J. Whitney.  
*Malheur*—J. R. Blackaby.  
*Marion*—William L. Cummings, E. H. Flagg, Abner Lewis,  
John McCourt, J. W. McCulloch.  
*Morrow*—E. L. Freeland.  
*Multnomah*—J. C. Bayer, S. C. Beach, S. Farrell, George H.  
Hill, Peter Hobkirk, R. E. Moody, George T. Myers, J. T. Ross,  
J. T. Whalley.  
*Polk*—N. F. Gregg, J. B. Stump.  
*Sherman and Wasco*—J. W. Morton, A. S. Roberts.  
*Tillamook and Yamhill*—J. W. Maxwell.  
*Umatilla*—L. B. Reeder, J. E. Smith, A. D. Stillman.  
*Union*—D. A. McAlister, F. S. Stanley.  
*Wallowa*—Peter Fordney.  
*Washington*—Abner Briggs, G. W. Marsh, J. R. C. Thompson.  
*Yamhill*—Clarence Butt, E. F. Lanson.

## HOUSE STANDING COMMITTEES.

- Agriculture*—Stewart, Nichol's, Wilson.  
*Alcoholic traffic*—Smith, Thompson of Clackamas, Palmer.  
*Assessment and taxation*—Freeland, Hill, Lewis, Massingill, Whitney.  
*Banking and insurance*—Ross, Flagg, Stillman.  
*Capitol buildings and grounds*—Cummings, Davis, Conn.  
*Cities and towns*—Massingill, Topping, Stump.  
*Claims*—Jones, Myers, Smith.  
*Commerce*—Hobkirk, Maxwell, Gray, Curtis, McAlister.  
*Corporations*—Kruse, Thompson of Washington, Virtue.  
*Counties*—Roberts, Donnelly, Brattain, Bayer, Reeder.  
*Education*—Marsh, Nichols, Fordney, Stewart, Whalley.  
*Elections*—Hill, Stanley, Freeland, Ross, Blackaby.  
*Engrossed bills*—Maxwell, Stewart, Whalley.  
*Enrolled bills*—McCulloch, Massingill, Donnelly.  
*Federal relations*—Sherwin, Kruse, Smith.  
*Fisheries and game*—Young, Farrell, Hall, Myers, Roberts.  
*Food and dairy products*—Thompson of Washington, Hall, Gray.  
*Horticulture*—Morton, Briggs, Wonacott.  
*Indian affairs*—Hawson, Young, Platts.  
*Internal improvements*—McCourt, McQueen, McAlister.  
*Irrigation*—Williamson, Morton, Grace.  
*Judiciary*—Reeder, Moody, McCulloch, Whitney, Williamson.  
*Labor*—Briggs, Knight, Lamson.  
*Manufactures*—Bayer, Kruse, Stump.  
*Medicine and pharmacy*—Hall, Grace, Sherwin.  
*Military affairs*—Myers, Wilson, Young.  
*Mining*—Brattain, Virtue, Donnelly.  
*Penal, reform and charitable institutions*—Butt, Moody, Gray.  
*Printing*—Curtis, Beach, Flagg.  
*Public lands*—Stillman, Williamson, McQueen, Moody, Palmer.  
*Health and public morals*—Farrell, Conn, McCourt.  
*Public library*—Lewis, Freeland, Jones.  
*Railways and transportation*—Stanley, Marsh, Hobkirk, Butt, Stillman.  
*Roads and highways*—Wonacott, Lewis, Knight, Hill, Hawson.  
*Rules and joint rules*—Thompson of Clackamas, Ross, Platts.  
*Salaries and mileage*—Topping, Blackaby, Cummings.  
*Salaries of state and county officers*—Davis, Gregg, Hawson.  
*Statistics and immigration*—Lamson, Thompson of Clackamas, Fordney.  
*Ways and means*—Beach, Curtis, Davis, Flagg, Grace.

# HOUSE JOURNAL.

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HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September, 26, 1898. }

The house was called to order at 10 o'clock a. m. by Hon. R. E. Moody, chief clerk of the house of representatives for the session of 1895.

Messrs. Geo. T. Myers of Multnomah, L. B. Reeder of Umatilla and E. S. Platts of Curry were placed in nomination for temporary speaker.

A *viva voce* vote was taken and Mr. Myers was declared elected.

Mr. Flagg called for a division, and, a standing vote being taken, the majority were in favor of Mr. Myers, and he was declared temporary speaker. Messrs. Flagg and Ross were appointed a committee to escort the speaker to his seat, which they did.

On motion of Mr. Butts, A. V. R. Snyder was chosen temporary chief clerk.

Mr. Hill moved that a committee of five on credentials be appointed.

The motion prevailed, and the speaker named as such committee Messrs. Hill, Hawson, Massingill, Nichols and Gregg.

On motion, the house adjourned to 1:30 p. m. today

A. C. JENNINGS,  
Chief clerk.

## AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 26, 1898. }

The house met as per adjournment, Temporary Speaker Myers in the chair.

Mr. Hill, chairman of the committee on credentials, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 26, 1898. }

We, your committee on credentials, respectfully beg leave to report that we find the following named entitled to seats in the

house of representatives as members of such at this special session convened for this twenty-sixth day of September, 1898:

J. C. Bayer, Multnomah county.  
S. C. Beach, Multnomah county.  
J. R. Blackaby, Malheur county.  
F. M. Brattain, Lane county.  
Abner Briggs, Washington county.  
Clarence Butt, Yamhill county.  
E. V. Carter, Jackson county.  
James W. Conn, Douglas county.  
William L. Cummings, Marion county.  
C. J. Curtis, Clatsop county.  
G. E. Davis, Lincoln county.  
R. N. Donnelly, Grant county.  
S. Farrell, Multnomah county.  
E. H. Flagg, Marion county.  
Peter Fordney, Wallowa county.  
E. L. Freeland, Morrow county.  
W. E. Grace, Baker county.  
W. F. Gray, Lane county.  
N. F. Gregg, Polk county.  
J. E. Hall, Columbia county.  
S. G. Hawson, Gilliam county.  
George H. Hill, Multnomah county.  
Peter Hobkirk, Multnomah county.  
D. M. Jones, Linn county.  
J. L. Kruse, Clackamas county.  
E. F. Lamson, Yamhill county.  
Abner Lewis, Marion county.  
G. W. Marsh, Washington county.  
W. A. Massingill, Lake county.  
J. W. Maxwell, Tillamook county.  
D. A. McAlister, Union county.  
John McCourt, Marion county.  
J. W. McCulloch, Marion county.  
Ivan McQueen, Lane county.  
R. E. Moody, Multnomah county.  
J. W. Morton, Wasco county.  
George T. Myers, Multnomah county.  
R. J. Nichols, Benton county.  
H. M. Palmer, Linn county.  
E. S. Platts, Curry county.  
L. B. Reeder, Umatilla county.  
A. S. Roberts, Wasco county.  
J. T. Ross, Multnomah county.  
E. A. Sherwin, Jackson county.

MONDAY, SEPTEMBER 26, 1898

J. E. Smith, Umatilla county.  
F. S. Stanley, Union county.  
Matthew Stewart, Jackson county.  
A. D. Stillman, Umatilla county.  
Alex. Thompson, Clackamas county.  
J. R. C. Thompson, Washington county.  
George P. Topping, Coos county.  
James W. Virtue, Josephine county.  
J. T. Whalley, Multnomah county.  
J. J. Whitney, Linn county.  
J. N. Williamson, Crook county.  
W. W. Wilson, Douglas county.  
G. W. Wonacott, Douglas county.  
Johan E. Young, Clatsop county.

Contests have been filed with your committee against the election of George Knight of Clackamas county and J. B. of Polk county, and we refer these two cases back to the committee for the consideration of the committee on elections when pointed.

Respectfully submitted,

GEORGE H. HILL  
Chairman

On motion of Mr. Hill, the report was adopted.

Mr. Curtis moved that a committee of three be appointed to wait upon the secretary of state or chief justice and invite him to administer the oath of office to members.

The motion prevailed, and the speaker named as such committee Messrs. Curtis, Moody and Roberts.

The committee retired and soon returned with the secretary of state, who administered the oath of office to all members.

Mr. Moody introduced house resolution No. 1.

#### HOUSE RESOLUTION NO. 1.

*Resolved*, That the house proceed to permanent organization by electing —

*First* — A speaker.

*Second* — A chief clerk.

*Third* — An assistant clerk.

*Fourth* — A reading clerk.

*Fifth* — A calendar clerk.

*Sixth* — A sergeant-at-arms.

*Seventh* — A doorkeeper.

The resolution was adopted.

For speaker, Mr. Maxwell placed in nomination Mr. E. V. Carter, and Mr. Stillman placed in nomination Mr. J. J. Whitney.

The roll was called and those voting for Mr. Carter were: Messrs. Bayer, Beach, Briggs, Butt, Cummings, Curtis, Davis, Farrell, Flagg, Freeland, Hill, Hawson, Hall, Hobkirk, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Thompson of Clackamas, Thompson of Washington, Topping, Whitney, Williamson and Young—39.

Those voting for Mr. Whitney were: Messrs. Blackaby, Carter, Conn, Fordney, Grace, Gray, Gregg, Jones, Knight, McAlister, Palmer, Platts, Sherwin, Stillman, Stump, Virtue, Wilson and Wonacott—18.

Absent—Messrs. Brattain, Donnelly and Whalley—3.

Mr. Carter was declared to have been elected speaker, and Messrs. McCulloch and Flagg were appointed a committee to escort him to his seat.

On taking his seat, Speaker Carter thanked the members for the honor they had conferred on him and invited their coöperation in the transaction of business.

The speaker announced that the next order of business was the election of a chief clerk.

For chief clerk, Mr. McQueen nominated Mr. A. C. Jennings, and Mr. Platts nominated Mr. J. A. Burley.

The roll was called and those voting for Mr. Jennings were: Messrs. Bayer, Beach, Briggs, Butt, Cummings, Curtis, Davis, Farrell, Flagg, Freeland, Hall, Hawson, Hill, Hobkirk, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Thompson of Clackamas, Thompson of Washington, Topping, Williamson, Young and Mr. Speaker—39.

Those voting for Mr. Burley were: Messrs. Blackaby, Conn, Fordney, Grace, Gray, Gregg, Jones, Knight, Palmer, Platts, Sherwin, Stillman, Stump, Virtue, Whitney, Wilson and Wonacott—17.

Absent—Messrs. Brattain, Donnelly, McAlister and Whalley—4.

Mr. Jennings was declared elected, and at once took his station as chief clerk.

For assistant chief clerk, Mr. Moody placed in nomination A. V. R. Snyder.

There being no other nominations, Mr. Myers moved that Mr. Snyder be elected by acclamation.

The motion prevailed, and Mr. Snyder was declared elected assistant chief clerk.

For reading clerk, Mr. Myers placed in nomination Mr. Frank Motter, and Mr. Stillman nominated Mr. Rosenberg.

The roll was called and those voting for Mr. Motter were: Messrs. Bayer, Beach, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Farrell, Flagg, Freeland, Hall, Hawson, Hill, Hobkirk, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Thompson of Clackamas, Thompson of Washington, Topping, Williamson, Young and Mr. Speaker—40.

Those voting for Mr. Rosenberg were: Messrs. Blackaby, Fordney, Grace, Gray, Gregg, Jones, Knight, McAlister, Palmer, Platts, Sherwin, Stillman, Stump, Virtue, Whitney, Wilson and Wonacott—17.

Absent—Messrs. Conn, Donnelly and Whalley—3.

Mr. Motter was declared elected reading clerk.

For sergeant at-arms, Mr. Curtis placed in nomination Mr. A. D. Griffin, and Mr. Sherwin nominated Mr. W. H. Brunk.

The roll was called and those voting for Mr. Griffin were: Messrs. Bayer, Beach, Brattain, Briggs, Butt, Cummings, Curtis, Farrell, Flagg, Freeland, Hall, Hawson, Hill, Hobkirk, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Ross, Roberts, Smith, Stanley, Stewart, Thompson of Clackamas, Thompson of Washington, Topping, Williamson, Young and Mr. Speaker—39.

Those voting for Mr. Brunk were: Messrs. Blackaby, Conn, Fordney, Grace, Gray, Gregg, Jones, Knight, McAlister, Palmer, Platts, Sherwin, Stillman, Stump, Virtue, Whitney, Wilson and Wonacott—18.

Absent—Messrs. Davis, Donnelly and Whalley—3.

Mr. Griffin was declared elected sergeant-at-arms.

For calendar clerk, Mr. S. C. Beach nominated Mr. D. B. Mackie.

On motion, he was elected by acclamation.

Mr. M. P. I-enberg was named by Mr. Morton for doorkeeper, and there being no other nomination, he was elected by acclamation.

On motion of Mr. Reeder, the speaker was empowered to appoint a mailing clerk and three pages.

Mr. Moody moved that a committee of three be appointed by the speaker to wait upon the secretary of state or chief justice and invite him to administer the oath to the officers.

The motion prevailed, and Messrs. Moody, Freeland and Beach were named as such committee.

The committee retired and soon returned with the secretary of state, who administered the oath to the speaker, chief clerk,

assistant clerk and reading clerk.

On motion of Mr. Roberts, the rules of the house of 1895 were made the rules of this house.

Mr. Curtis introduced house resolution No. 1.

#### HOUSE RESOLUTION NO. 1.

*Resolved*, That each member be furnished with a copy of the house and senate journals and session laws of 1895 and a copy of Hill's code.

The resolution was adopted.

Mr. McCulloch moved that a committee of three be appointed to wait upon the governor and inform him that the house is now organized and ready to receive any communication he might wish to make.

The motion prevailed, and the speaker appointed Messrs. McCulloch, McAlister and Ross as such committee.

Mr. Myers introduced house resolution No. 2.

#### HOUSE RESOLUTION NO. 2.

*Resolved*, That each member and officer be furnished with five copies of such daily or weekly newspapers as he may select during the session.

By permission, Mr. Myers withdrew this resolution.

Mr. Moody moved that the clerk send to the senate a message, informing that body that the house is now organized and ready to receive messages.

The motion prevailed.

Mr. Curtis introduced house resolution No. 3.

#### HOUSE RESOLUTION NO. 3.

*Resolved*, That the reporters of the various newspapers of the state be invited to seats within the bar, and that the sergeant-at-arms be instructed to provide for their convenience.

The resolution was adopted.

Mr. Williamson introduced house resolution No. 4.

#### HOUSE RESOLUTION NO. 4.

*Resolved*, That the ministers of the various religious denominations of the state be and are hereby invited to attend and offer prayer at the opening hour of this house each morning.

The resolution was adopted.

The committee appointed to inform the governor that the

house was ready to receive messages returned and stated that the senate had not passed a joint resolution.

The committee asked for further time, which was granted.

Mr. Young introduced house resolution No. 5.

HOUSE RESOLUTION NO. 5.

*Resolved*, That a committee of five be appointed to recommend the compensation of the officers of the house.

The resolution was adopted.

On motion, the house adjourned until tomorrow at 10 a. m.

A. C. JENNINGS,  
Chief clerk.

TUESDAY, SEPTEMBER 27, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 27, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker, pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Kantner.

The roll was called, and all the members were present except Messrs. Donnelly, Flagg and Whalley.

The journal of yesterday was read and approved.

The speaker announced that he had appointed B. C. Curry of Clackamas county as mailing clerk, and Chas. Lane, Van Sutherland and Robert Duncan as pages.

Mr. Wilson asked to be excused on account of sickness in his family.

On motion of Mr. Myers, Mr. Wilson was excused.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
September 26, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has effected a permanent organization by electing the following officers: Hon. Joseph Simon, president; S. L. Moorhead, chief clerk; J. Fred Yates, assistant clerk; F. C. Middleton, calendar clerk; J. D. Lee, reading clerk; J. S. Purdon, sergeant-at-arms; W. W. Smith, doorkeeper; H. H. Humphrey, mailing clerk.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
September 26, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 1, providing for the appointment of a committee to examine books and accounts of the secretary of state.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## SENATE CONCURRENT RESOLUTION NO. 1.

*Resolved by the senate, the house concurring,* That a committee of two on the part of the senate and three on the part of the house be appointed to examine the books and accounts of the secretary of state, and report thereon within fifteen days after the adoption of this resolution.

On motion of Mr. McCulloch, the resolution was laid on the table.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
September 26, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 2, calling upon the secretary of state for report of business of his office, etc.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## SENATE CONCURRENT RESOLUTION NO. 2.

*Resolved by the senate, the house concurring,* That the secretary of state be requested to present such a report of the business of his office, and the condition of the finances of the state of Oregon, as will enable the legislature to intelligently transact the business for which it is called together in extraordinary session.

On motion, the resolution was concurred in.

## HOUSE JOINT RESOLUTION NO. 1.

Whereas, there occurs in 1899 the fortieth anniversary of the admission of Oregon as a state and the semi-centennial anniversary of the extension of the laws of the United States over the Oregon country; and

Whereas, the appropriate observance of such anniversaries is conducive to creating and enlightening a true commonwealth spirit, fostering the zealous study of its history and institutions by its people; therefore, be it

*Resolved*, That the speaker of the house appoint a committee of three who, with two appointed by the senate, shall constitute a joint committee to arrange for appropriate exercises by the senate and house of representatives of the legislature of Oregon assembled in joint assembly on the fourteenth day of February, 1898; and further be it

*Resolved*, That the governor be requested to appoint a committee of arrangements for the celebration of the semi-centennial anniversary to be held at Portland, Oregon, on June 15, 1899.

On motion, the resolution was laid on the table.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

September 27, 1898. }

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 3, notifying the governor that both houses are organized and await his pleasure.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## SENATE CONCURRENT RESOLUTION NO. 3.

*Resolved by the senate, the house concurring*, That a committee, consisting of two on the part of the senate and three on the part of the house, be appointed to wait upon the governor and inform him that both senate and house are now organized and ready to receive from him any message he desires to deliver.

On motion, the resolution was concurred in.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

September 27, 1898. }

I am directed by the president to inform you that the senate

has adopted senate joint resolution No. 1, remonstrating against the reduction of the duty on lumber.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### SENATE JOINT RESOLUTION NO. 1.

*Resolved by the senate, the house concurring,* That the legislative assembly of the state of Oregon hereby remonstrate against the reduction of the duty on lumber as proposed in the international commission composed of representatives of the United States and Canada now in session in the city of Quebec; and

*Resolved,* That our senators and representatives in congress be requested to use their utmost endeavor to prevent such reduction, and that the secretary of state be instructed to advise them at once of the action of this assembly, with the request that they wire our representatives in said national commission the purport of this resolution.

The question being on the adoption of the resolution, the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 56.

Nays — Messrs. Fordney and Whitney — 2.

Absent — Messrs. Donnelly and Whalley — 2.

So the resolution was adopted.

#### COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE,  
SALEM, Oregon,  
September 27, 1898. }

*To the honorable the house of representatives of the legislative assembly of the state of Oregon —*

GENTLEMEN: I beg leave to acknowledge the receipt of a copy of house resolution No. 1, requesting the secretary of state to furnish each member of the house with a copy of the senate and

house journals and session laws of 1895, and a set of Hill's annotated codes. In reply thereto, I will say that I have caused to be placed upon the desk of each member a copy of the senate and house journals and session laws of 1895, as requested.

In reply to that portion of the resolution calling for Hill's annotated codes, I beg leave to state that such documents are not published by the state and must be purchased from private law book publishing companies, and can only be furnished when requested by joint resolution of both bodies of the legislative assembly.

Yours very respectfully,

H. R. KINCAID,  
Secretary of state.

The following communication was read from the state fair management:—

COMMUNICATION.

SALEM, Oregon,  
September 26, 1898. }

*Mr. Speaker and members of the house of representatives of the legislative assembly of the state of Oregon—*

GENTLEMEN: You are respectfully invited to attend the fair now in progress on the grounds of the state agricultural society, at such time as may be convenient to you, for the purpose of looking into the general condition of the grounds and buildings, as well as to take special notice of the general exhibits.

You will be furnished by the officers of the association with any information desired as to the financial condition and management of the association.

The fair will close on September 30.

By order of the board.

Attest:

C. D. GABRIELSON,  
Secretary.

D. H. LOONEY,  
President.

Mr. Curtis introduced house concurrent resolution No. 1.

HOUSE CONCURRENT RESOLUTION NO. 1.

*Resolved by the house, the senate concurring, That the secretary of state be authorized and instructed to purchase ninety copies of Hill's annotated laws of Oregon, to be furnished to members of the house and senate of the legislative assembly of Oregon.*

On motion, the resolution was adopted.

Mr. Hawson introduced house resolution No. 6.

## HOUSE RESOLUTION NO. 6.

*Resolved*, That the committee on judiciary be allowed two clerks; that the committee on assessment and taxation be allowed two clerks; that the committee on engrossed bills be allowed four clerks; that the committee on enrolled bills be allowed four clerks; that the committee on ways and means be allowed two clerks; and that all other standing committees be allowed such clerical help as this house may designate upon application of the chairman of any of said committees.

On motion, the resolution was adopted.

Mr. Stillman moved that the state printer furnish a copy of the house rules to each member.

The motion prevailed.

Mr. Ross gave notice that tomorrow he would offer an amendment to rule No. 41 of house rules.

Mr. Young introduced house resolution No. 7.

## HOUSE RESOLUTION NO. 7.

*Resolved*, That the secretary of state be and hereby is authorized to furnish 200 two-cent stamps and 100 newspaper wrappers to each member and officer of the house.

Mr. Flagg moved to lay on the table.

The motion was lost.

Mr. Nichols moved to amend, by making 100 instead of 200 stamps.

The amendment was lost.

The motion to adopt prevailed.

Mr. Myers introduced house resolution No. 8.

## HOUSE RESOLUTION NO. 8.

*Resolved*, That each member and officer be furnished with three copies of such daily or weekly newspapers as he may select during the session.

Mr. Nichols moved to lay on the table.

The motion was lost.

On motion, the resolution was adopted.

Mr. Curtis introduced house resolution No. 9.

## HOUSE RESOLUTION NO. 9.

*Resolved*, That the speaker of the house appoint a special committee of five, to whom all resolutions of the house shall be referred for consideration and recommendation, and report to the

house as to the advisability of adopting or rejecting the same, and that said committee have leave to report at any time.

On motion of Mr. Stanley, the resolution was adopted.

Mr. Roberts introduced house resolution No. 10.

#### HOUSE RESOLUTION NO. 10.

*Resolved*, That the smoking of cigars or tobacco in any form within the hall shall not be permitted; and, further, that it be the duty of the doorkeeper to see that all smokers are properly warned by placards or otherwise as they pass the door, of the intent of this resolution and, also, the sergeant-at-arms shall maintain obedience to this behest.

The resolution was referred to the committee on resolutions.

House bill No. 1. Mr. Curtis. A bill for an act for the protection of salmon and other food fishes, etc., in the state of Oregon.

Mr. Curtis moved that the rules be suspended and that house bill No. 1 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Williamson, Wonacott and Mr. Speaker—53.

Nays—Messrs. Fordney, Virtue, Whitney, Wilson and Young—3.

Absent—Messrs. Donnelly and Whalley—2.

So the rules were suspended and house bill No. 1 was read first time by title only.

House bill No. 1 was ordered printed.

House bill No. 7. Mr. Hill. A bill for an act to provide for and regulate elections, to require and regulate the registration of voters for election purposes, etc.

Mr. Hill moved that the rules be suspended and that house bill No. 7 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Freeland, Grace, Gray, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Maxwell, McQueen, Moody, Morton, Myers, Nichols, Platts, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman,

Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Williamson, Wonacott and Mr. Speaker—46.

Nays—Messrs. Fordney, Gregg, Massingill, McAlister, McCourt, McCulloch, Palmer, Reeder, Ross, Whitney, Wilson and Young—12.

Absent—Messrs. Donnelly and Whalley—2.

So the rules were suspended and house bill No. 7 was read first time by title only.

House bill No. 7 was ordered printed.

Mr. Ross, of joint committee to inform governor of the organization of house and senate, stated that the governor would be ready to deliver his message at 2 p. m. today.

House bill No. 2. Mr. Whitney. A bill for an act to tax mortgages.

House bill No. 2 was read first time and passed to second reading without question.

House bill No. 3. Mr. Bayer. A bill for an act to regulate the doing of public works.

House bill No. 3 was read first time and passed to second reading without question.

House bill No. 4. Mr. Stillman. A bill for an act to amend section 40 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

House bill No. 4 was read first time and passed to second reading without question.

House bill No. 5. Mr. Curtis. A bill for an act to regulate and protect sturgeon fishing.

House bill No. 5 was read first time and passed to second reading without question.

House bill No. 6. Mr. Curtis. A bill for an act to provide for the office of game and forestry warden.

House bill No. 6 was read first time and passed to second reading without question.

House bill No. 8. Mr. Kruse. A bill for an act to provide for the nomination of, and voting for candidates for the office of United States senator from Oregon by the qualified electors of the state.

House bill No. 8 was read first time and passed to second reading without question.

On motion of Mr. Myers, the house adjourned till 2 o'clock today.

A. C. JENNINGS,  
Chief clerk.

## AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
September 27, 1898. }

*Mr. Speaker :*

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Donnelly, Whalley and Wilson.

Mr. Moody introduced house concurrent resolution No. 2.

## HOUSE CONCURRENT RESOLUTION NO. 2.

*Resolved by the house, the senate concurring,* That the senate and house meet in joint session, at 2 o'clock p. m., September 27, 1898, to receive such communication from the governor that he desires to deliver.

On motion, the resolution was adopted.

Mr. Moody introduced house joint resolution No. 4.

## HOUSE JOINT RESOLUTION NO. 4.

Whereas, it appears there will be necessity for some time to come to maintain a considerable force of American troops in the territory conquered during the present war, and that the Pacific coast is deeply interested in the Philippine problem and light battery B, Oregon volunteers, are desirous of being retained in the service, and by position are convenient for use on the islands of the Pacific; and,

Whereas, light battery B, Oregon volunteer artillery, is believed to be an organization well fitted and anxious for such service; be it

*Resolved by the legislature of Oregon,* That the honorable secretary of war be requested, if he deem it in the interest of the service, that light battery B of the volunteers of this state be retained in the service and utilized in the forwarding of troops to territory occupied or to be occupied by American forces.

The question being on the adoption of the resolution, the roll was called and the vote was:—

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washing-

ton, Topping, Whitney, Williamson, Wonacott, Young and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Donnelly, Myers, Palmer, Virtue, Whalley and Wilson—6.

So the resolution was adopted.

#### JOINT CONVENTION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 27, 1898. }

The joint convention was called to order by Hon. Joseph Simon, president of the senate.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present except Messrs. Donnelly, Whalley and Wilson.

Mr. Hill moved that a committee of three be appointed to inform the governor that the joint assembly is now ready to receive any communication he may desire to make.

The president appointed Messrs. Ross, Morrow and Topping as such committee.

Mr. Dufur moved that a committee of three be appointed to invite and escort the members of the supreme court, the secretary of state and state treasurer to the speaker's platform.

The motion prevailed, and Messrs. Dufur, Myers and Freeland were appointed as such committee.

The several committees soon returned escorting the distinguished gentlemen to seats within the bar, and his excellency, Governor Lord, then proceeded to deliver his message, which appears as an appendix to this volume.

On motion of Mr. Fulton, the joint convention dissolved.

Mr. Young moved that the rules be suspended and that the house return to the first order of business.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Donnelly, Whalley and Wilson—3.

So the rules were suspended and the house returned to the first order of business.

Mr. Young introduced house resolution No. 11.

HOUSE RESOLUTION NO. 11.

*Resolved*, That the secretary of state be authorized to have printed 1,000 copies of the governor's message for the use of the members of the legislative assembly.

On motion, the resolution was adopted.

Mr. Roberts introduced house joint resolution No. 2.

HOUSE JOINT RESOLUTION NO. 2.

Whereas, during the past few weeks two river steamers have been wrecked in the rapids at the lower end of the cascade locks, demonstrating that at a certain stage of the water, in order to make the passage of the locks practicable and safe for vessels, it is necessary that improvement of the channel be made; therefore, be it

*Resolved, by the house, the senate concurring*, That we favor congress making a special appropriation for the same, and that we ask our delegation in congress to work by all fair means for such an appropriation and that it become available at once.

The question being on the adoption of the resolution, the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wona-cott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Donnelly, Whalley and Wilson—3.

So the resolution was adopted.

Mr. Myers moved that senate concurrent resolution No. 2 be taken from the table.

The motion prevailed.

Mr. Myers moved that the house concur in senate concurrent resolution No. 2.

The motion prevailed.

Mr. Myers introduced house joint resolution No. 3.

#### HOUSE JOINT RESOLUTION NO. 3.

*Resolved by the house, the senate concurring,* That a joint committee of three from the house be appointed by the speaker and two members of the senate to be appointed by the president of the senate be and hereby is created to investigate, consider and report to the legislative assembly at its next regular session upon the subject of food fish, and legislation necessary for the protection and preservation of the same and the promotion of the fishing industry.

The question being on the adoption of the resolution, the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stullman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wona-cott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Donnelly, Whalley and Wilson—5.

So the resolution was adopted.

Mr. Beach introduced house concurrent resolution No. 3.

#### HOUSE CONCURRENT RESOLUTION NO. 3.

*Resolved by the house, the senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to examine the management of the state penitentiary, with power to employ the necessary clerical aid.

The resolution was adopted.

Mr. Flagg moved that the invitation of the state board of agriculture heretofore tendered be accepted, and that tomorrow afternoon be fixed by the house as the time for visiting the Oregon state fair.

The motion prevailed.

Mr. Stullman introduced house resolution No. 12.

#### HOUSE RESOLUTION NO. 12.

Whereas, the appropriation bill to receive consideration at the present session will carry larger sums than are usual or necessary

at a regular session of the legislature when not more than two years have elapsed, without the passage of a regular appropriation bill, and a bill carrying such large appropriations should be carefully considered before its adoption by every member of this house; therefore, be it

*Resolved*, That the governor, secretary of state and state treasurer be requested to present their estimates of expenditures and recommendations as to appropriations not later than Friday, September 30, 1898.

The resolution was adopted.

Mr. Myers introduced house concurrent resolution No. 4.

#### HOUSE CONCURRENT RESOLUTION NO. 4.

*Be it resolved by the house, the senate concurring*, That a committee of three on the part of the house and two of the senate be appointed to examine the books and accounts of the Oregon insane asylum, and report thereon within ten days after the adoption of this resolution.

The resolution was adopted.

Mr. Massingill introduced house concurrent resolution No. 5.

#### HOUSE CONCURRENT RESOLUTION NO. 5.

*Resolved by the house, the senate concurring*, That a committee, consisting of three on the part of the house and two on the part of the senate, be appointed to examine the books, accounts and records of the state military board, with power to employ the necessary aid.

The resolution was referred to the committee on resolutions, to be appointed later.

Mr. Hill introduced house concurrent resolution No. 6.

#### HOUSE CONCURRENT RESOLUTION NO. 6.

*Resolved by the house, the senate concurring*, That a committee of three on the part of the house and two on the part of the senate be appointed to examine the books and accounts of the board of commissioners for the sale of school and university lands, with power to employ the necessary clerical aid.

The resolution was referred to the committee on resolutions, to be appointed later.

Mr. Bayer introduced house concurrent resolution No. 7.

#### HOUSE CONCURRENT RESOLUTION NO. 7.

*Resolved by the house, the senate concurring*, That a committee, consisting of three on the part of the house and two on the part

of the senate, be appointed to examine the books and accounts of the state treasurer, with power to employ the necessary clerical aid.

The resolution was referred to the committee on resolutions, to be appointed later.

On motion of Mr. Williamson, the house adjourned till 10 o'clock a. m. tomorrow.

A. C. JENNINGS,  
Chief clerk.

WEDNESDAY, SEPTEMBER 28, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 28, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Donnelly, Whalley and Wilson.

The journal of yesterday was read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
September 27, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 5, providing for a joint committee to examine the books of the superintendent and inquire into the management of the Oregon insane asylum.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

SENATE CONCURRENT RESOLUTION NO. 5.

*Resolved by the senate, the house concurring,* That a committee of two on the part of the senate and three on the part of the house be appointed to examine the books of the superintendent and inquire into the management of the Oregon insane asylum.

On motion of Mr Curtis, the resolution was referred to the committee on resolutions.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
September 27, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 2.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
September 27, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate joint resolution No. 2, requesting the secretary of war to retain battery B in service, if he deem it in the interest of the service.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

SENATE JOINT RESOLUTION NO. 2.

Whereas, it appears there will be necessity for some time to come to maintain a considerable force of American troops in the territory conquered during the present war, and that the Pacific coast is deeply interested in the Philippine problem, and light battery B, Oregon volunteers, are desirous of being retained in the service, and by position are convenient for use on the islands of the Pacific; and

Whereas, light battery B, Oregon volunteer artillery, is believed to be an organization well fitted and anxious for such service; be it

*Resolved by the senate, the house concurring,* That the honorable secretary of war be requested, if he deem it in the interest of the service, that light battery B of the Oregon volunteers of this state be retained in the service and utilized in the forwarding of troops to territory occupied or to be occupied by American forces.

On the motion to concur, the roll was called and the vote was:  
Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Forney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Donnelly, Whalley and Wilson—3.

So the resolution was concurred in.

The speaker announced the appointment of the following committees:

Under house concurrent resolution No. 4—Messrs. Hill, Maxwell and Sherwin.

Under house concurrent resolution No. 3—Messrs. Beach, Hall and Davis.

Under house joint resolution No. 3—Messrs. Myers, Smith and Young.

Under house resolution No. 9—Messrs. Curtis, Cummings and Roberts.

Mr. McCulloch moved a suspension of the rules and that the house return to the fourth order of business.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wonacott and Mr. Speaker—52.

Nays—Messrs. Flagg, Ross, Sherwin and Young—4.

Absent—Messrs. Donnelly, Myers, Whalley and Wilson—4.

So the rules were suspended and the house took up the fourth order of business.

Mr. Moody raised the point of order that after reading the journal the house take up the order of business at the beginning of the order adopted.

The chair held that the session must take up the order of business under which it was working at the time of adjourn-

ment and exhaust the regular order before taking up any other, except under suspension of the rules.

Mr. McCulloch gave notice that on tomorrow he would move to reconsider the vote by which house joint resolution No. 3 was adopted, and moved that the clerk withhold the same from the senate pending the time for reconsideration.

Mr. Morton moved to lay on the table.

The motion was lost.

The original motion prevailed.

Mr. Roberts moved that the chair establish the ruling as a precedent; that each day after the reading of the journal of the preceding day the house take up that order of business under which the house was working when it adjourned, and continue through the order as laid down in rule 8, page 4.

The motion prevailed.

House bill No. 9. Mr. Moody. A bill for an act to amend section 1037 of Hill's annotated laws of Oregon.

House bill No. 9 was read first time and passed to second reading without question.

House bill No. 10. Mr. Ross. A bill for an act to establish a fiscal agency for the state of Oregon, in the city of New York.

House bill No. 10 was read first time and passed to second reading without question.

House bill No. 11. Mr. Young. A bill for an act relating to the lien of judgments upon real estate redeemed from sales on execution.

House bill No. 11 was read first time and passed to second reading without question.

House bill No. 12. Mr. Young. A bill for an act for the protection of elk in the state of Oregon.

House bill No. 12 was read first time and passed to second reading without question.

House bill No. 13. Mr. Flagg. A bill for an act fixing the salaries of county officers of Marion county, Oregon.

House bill No. 13 was read first time and passed to second reading without question.

House bill No. 14. Mr. Stillman. A bill for an act to incorporate the city of Pendleton and define the powers thereof.

Mr. Stillman moved that the rules be suspended and that house bill No. 14 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Maxwell, McAlister, McCourt,

McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wonacott, Young and Mr. Speaker—55.

Absent—Messrs. Beach, Donnelly, Massingill, Wilson and Whalley—5.

So the rules were suspended and house bill No. 14 was read first time by title only and passed to second reading.

House bill No. 14 coming on for second reading, Mr. Stillman moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Wilson, Whalley and Donnelly—3.

So the rules were suspended and house bill No. 14 was read second time by title only.

House bill No. 14 was referred to the Umatilla delegation, with leave to report at any time.

House bill No. 15. Mr. Topping. A bill for an act to provide suitable times for holding teachers' quarterly examinations and disposing of the examination papers.

House bill No. 15 was read first time and passed to second reading without question.

House bill No. 16. Mr. Kruse. A bill for an act to increase facilities for the alleviation of suffering and the prevention and cure of disease, and repealing all acts and parts of acts in conflict herewith.

House bill No. 16 was read first time and passed to second reading without question.

House bill No. 17. Mr. Young. A bill for an act to amend section 1061 of Hill's annotated laws of Oregon.

House bill No. 17 was read first time and passed to second reading without question.

House bill No. 18. Mr. Virtue. A bill for an act entitled an act to protect hotel keepers.

House bill No. 18 was read first time and passed to second reading without question.

House bill No. 19. Mr. Whitney. A bill for an act to abolish the office of railroad commissioners in the state of Oregon.

House bill No. 19 was read first time and passed to second reading without question.

House bill No. 20. Mr. Young. A bill for an act for the sale of tide and swamp lands in the tide waters of the Columbia river and tributaries, and in the waters of Coos bay.

House bill No. 20 was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 27, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 23, a bill to create the office of recorder for Polk county.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Mr. Williamson moved to adjourn to 10 o'clock a. m. tomorrow. The motion was lost.

Mr. Beach moved that the rules be suspended and that the house take up the first order of business.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Curtis, Davis, Farrell, Fordney, Gregg, Hill, Hobkirk, Kruse, Lamson, Marsh, Massingill, Maxwell, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Whitney, Wonacott and Young—34.

Nays—Messrs. Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Flagg, Freeland, Grace, Gray, Hall, Hawson, Jones, Knight, Lewis, McAlister, McCourt, Sherwin, Thompson of Washington, Virtue, Williamson and Mr. Speaker—22.

Absent—Messrs. Donnelly, Ross, Whalley and Wilson—4.

The motion was lost.

Mr. McCulloch moved that the house adjourn to 10 o'clock a. m. tomorrow.

The motion prevailed, and the house adjourned.

A. C. JENNINGS,  
Chief clerk.

THURSDAY, SEPTEMBER 29, 1898.

## MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 29, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker, pursuant to adjournment

The roll was called, and all the members were present except Messrs. Davis, Donnelly, Jones, Palmer and Roberts.

The morning session of the house was opened with prayer by Rev. G. M. Irwin.

On motion of Mr. Myers, the reading of the journal was dispensed with.

Mr. Myers introduced house resolution No. 13.

## HOUSE RESOLUTION NO. 13.

*Resolved*, That the temperature of the house shall be kept during the session at not more than 70° Fahrenheit, and not less than 66° and that it shall be constantly and properly ventilated, the same to be the duty of the sergeant-at-arms.

On motion, the resolution was adopted.

House bill No. 21. Mr. Ross. A bill for an act to authorize corporations to act as guardian, etc.

House bill No. 21 was read first time and passed to second reading without question.

House bill No. 22. Mr. Grace. A bill for an act to incorporate Baker City, in Baker county, and to repeal all prior acts.

Mr. Grace moved that the rules be suspended and that house bill No. 22 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flag, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent — Messrs. Donnelly, Jones, Palmer and Stillman — 4.

So the rules were suspended and house bill No. 22 was read first time by title only and passed to second reading.

House bill No. 22 coming on for second reading, Mr. Grace moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wona-cott, Young and Mr. Speaker — 56.

Nays — None.

Absent — Messrs. Donnelly, Jones, Platts and Stillman — 4.

So the rules were suspended and house bill No. 22 was read second time by title only.

Mr. Grace moved that the rules be further suspended and that house bill No. 22 be considered engrossed and passed to third reading.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wona-cott, Young and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. Donnelly, Jones and Stillman — 3.

So the rules were suspended and house bill No. 22 was considered engrossed and passed to third reading.

The following message was received from the governor accompanying the return of house bill No. 14 of the session of 1895.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
 SALEM, Oregon, }  
 February 28, 1895. }

*To the legislative assembly:*

I cannot approve house bill No. 14 authorizing sheriffs to collect mileage, in view of the present state of the law. The salaries of these officers were intended as compensation for the services which they were required to perform in lieu of fees and mileage. The object of the law was to abolish the fee system, which included mileage. By the present law it is proposed to give mileage to sheriffs in addition to their salaries, which were intended to cover them. This is in conflict with the declared will of the people on this subject. If their salaries for any reason were not sufficiently compensatory they should be increased to an amount commensurate with the duties or services required to be performed. In this way just compensation would be secured to these officers and the evils of a return to the fee system avoided; mileage, it is thought, furnishes a cover for the worst abuses of that system.

For these reasons only requires me to veto this bill.

WM. P. LORD,  
 Governor.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
 SALEM, Oregon, }  
 February 28, 1895. }

*To the legislative assembly:*

The facts as contained in the record, relative to house bill No. 380, convince me that such bill ought to be vetoed, because as a law it would work injustice to the taxpayers of Douglas county; besides the bill is of doubtful constitutional propriety, which adds to the difficulty of allowing it to become a law.

WM. P. LORD,  
 Governor.

House bill No. 22 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordnev, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer,

Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Donnelly, Jones, Stewart and Stillman—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 23. Mr. Thompson. A bill for an act to protect sheep husbandry and to regulate matters connected therewith.

House bill No. 23 was read first time and passed to second reading without question.

Mr. Young moved that the rules be suspended and that the house return to the first order of business.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Fordney, Freeland, Grace, Gray, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—52.

Nays—Messrs. Flagg, Gregg, Lewis and Marsh—4.

Absent—Messrs. Jones, Donnelly, Stewart and Stillman—4.

So the rules were suspended and the house returned to the first order of business.

Mr. Moody introduced house concurrent resolution No. 8.

#### HOUSE CONCURRENT RESOLUTION NO. 8.

*Resolved by the house, the senate concurring,* That the matter of the Loewenberg contract treated in the governor's message be referred to a special committee, consisting of three on the part of the house and two on the part of the senate, and that such committee recommend such legislation relating thereto as to it seems proper.

On motion, the resolution was adopted.

Mr. Curtis introduced house concurrent resolution No. 9.

#### HOUSE CONCURRENT RESOLUTION NO. 9.

*Resolved by the house, the senate concurring,* That the house committee on printing and the senate committee on printing be and

are hereby constituted a joint committee to investigate the manner in which the printing for the state has been done during the past four years, and the said joint committee is hereby empowered to employ two experts, who shall be practical printers, and additional clerical aid if required to assist in such examination; and the said joint committee shall report to this legislature the amount of printing done for the department of state during the past four years, and make such recommendations as to the public printing as they may deem of advantage to the state.

On motion, the resolution was adopted.

Mr. Young introduced house resolution No. 14.

#### HOUSE RESOLUTION NO. 14.

*Resolved*, That the committee on elections, resolutions, roads and highways, printing, commerce, salaries and mileage, fisheries and game, and salary of state and county officers, and the Multnomah delegation be allowed one clerk each.

Mr. Young moved the adoption of the resolution.

Mr. Hawson moved to indefinitely postpone.

Mr. Young raised the point of order that there was a motion to adopt before the house.

The chair held that the motion to indefinitely postpone took precedence.

Mr. Young appealed to the house.

The house sustained the speaker.

The motion to postpone was lost.

Mr. Hawson moved to lay on the table.

Messrs. Fordney and Palmer demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Briggs, Curtis, Farrell, Freeland, Hill, Hobkirk, Kruse, Massingill, Maxwell, McQueen, Moody, Morton, Myers, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Topping, Whalley and Young — 24.

Nays — Messrs. Blackaby, Brattain, Butt, Conn, Cummings, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Knight, Lamson, Lewis, Marsh, McAlister, McCourt, McCulloch, Nichols, Palmer, Platts, Sherwin, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker — 32.

Absent — Messrs. Davis, Donnelly, Jones and Stillman — 4.

So the motion to lay on the table was lost.

The motion to adopt was lost.

Mr. Beach introduced house resolution No. 15.

HOUSE RESOLUTION NO. 15.

*Resolved*, That the thanks of this house are due the Hon. W. H. Leeds, state printer, for his generous supply of letterheads donated to the members of this body.

On motion of Mr. Beach, the resolution was adopted.

Mr. McCulloch moved to reconsider the vote by which house joint resolution No. 3 was adopted.

Mr. McCulloch said that as the committee named under this resolution were peculiarly interested in this resolution, they be not allowed to vote.

The chair held that the fact that a committee had been appointed under said resolution did not prevent them from voting.

A vote was taken on the reconsideration, but was in doubt, when a standing vote was taken and declared to have carried.

Mr. Roberts made a point of order that it required a two-thirds vote to reconsider a motion.

The chair ruled that only a majority vote was required.

Mr. Topping moved to refer the resolution to the committee on resolutions.

Mr. McCulloch moved to indefinitely postpone.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Blackaby, Brattain, Butt, Conn, Cummings, Davis, Flagg, Fordney, Grace, Gray, Gregg, Knight, Kruse, Lewis, Marsh, McAlister, McCourt, McCulloch, McQueen, Nichols, Palmer, Platts, Sherwin, Stanley, Stump, Thompson of Washington, Topping, Whitney, Williamson, Wilson and Wonacott — 31.

Nays — Messrs. Bayer, Beach, Briggs, Curtis, Farrell, Freeland, Hall, Hawson, Hill, Hobkirk, Lamson, Massingill, Maxwell, Moody, Morton, Myers, Reeder, Roberts, Ross, Smith, Stewart, Stillman, Thompson of Clackamas, Virtue, Whalley, Young and Mr. Speaker — 27.

Absent — Messrs. Donnelly and Jones — 2.

So the resolution was indefinitely postponed.

Mr. Curtis introduced house resolution No. 16.

HOUSE RESOLUTION NO. 16.

*Resolved*, That the committee on resolutions be allowed one clerk.

On motion, the resolution was adopted.

Mr. Morton introduced house resolution No. 17.

HOUSE RESOLUTION NO. 17.

*Resolved*, That the house extend its thanks to the secretary of state for his generous donation of the biennial report of the

business of the state of Oregon for 1895-1896; also for the donation of pocket knives, etc.

On motion, the resolution was adopted.

Mr. Farrell introduced house resolution No. 18.

#### HOUSE RESOLUTION NO. 18.

*Resolved*, That the Multnomah delegation be allowed one clerk.

Mr. Farrell moved the adoption of the resolution.

Mr. Roberts moved to lay on the table.

The motion prevailed.

Mr. Butt moved to adjourn to 2 o'clock p. m. today.

Mr. Young moved to amend, making the hour 10 o'clock a. m. Monday next.

Mr. Hill moved to amend the amendment, making the hour 1:45 o'clock today.

The amendment to the amendment prevailed.

The motion, as amended, prevailed, and the house adjourned to 1:45 o'clock p. m. today.

#### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 29, 1898. }

The house was called to order at 1:45 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Donnelly, Hall, Hobkirk, Jones, Lewis, Marsh, Massingill, McCourt, Nichols, Roberts, Smith, Stanley, Stump, Thompson of Clackamas and Whalley.

The speaker called Mr. Moody to the chair.

House bill No. 24. Mr. Roberts. A bill for an act to amend section 313 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

House bill No. 24 was read first time and passed to second reading without question.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
September 29, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate as adopted senate joint resolution No. 4, urging our senators

and representatives in congress to do all in their power to retain the Philippine islands.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### SENATE JOINT RESOLUTION NO. 4.

*Resolved by the senate, the house concurring,* That the interests of humanity and the commercial interests of our nation alike demand the retention by this government of the Philippine islands, and we earnestly urge our senators and representatives in congress to do all in their power to insure the retention and control of those islands by this nation.

On the motion to concur, the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Knight, Kruse, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—52.

Nays—Messrs. Hall, Hobkirk and Jones—3.

Absent—Messrs. Bayer, Donnelly, Lamson, Marsh and Smith—5.

So the resolution was concurred in.

#### COMMUNICATION.

SALEM, Oregon, }  
September 29, 1898. }

*To the honorable the speaker of the house of representatives of the legislative assembly of the state of Oregon—*

SIR: I have the honor herewith to return to the house, house bill No. 14 of the eighteenth biennial session of the legislative assembly, together with the objections of the governor thereto.

This bill, with the governor's veto attached, was filed in the office of the secretary of state February 28, 1895, and is transmitted to the house in compliance with the provisions of the constitution of Oregon requiring such bills to be returned to the legislative assembly at its next session after the bill and veto is

filed. This special session is the next session after the session of 1895, the assembly of 1897 having failed to organize.

I have the honor to be, very respectfully, your obedient servant,  
H. R. KINCAID,  
Secretary of state.

#### COMMUNICATION.

SALEM, Oregon, }  
September 29, 1898. }

*To the honorable the speaker of the house of representatives of the legislative assembly of the state of Oregon—*

SIR: I have the honor herewith to return to the house, house bill No. 380 of the eighteenth biennial session of the legislative assembly, together with the objections of the governor thereto.

This bill, with the governor's veto attached, was filed in the office of the secretary of state February 28, 1895, and is transmitted to the house in compliance with the provisions of the constitution of Oregon requiring such bills to be returned to the legislative assembly at its next session after the bill and veto is filed. This special session is the next session after the session of 1895, the assembly of 1897 having failed to organize.

I have the honor to be, very respectfully, your obedient servant,  
H. R. KINCAID,  
Secretary of state.

House bill No. 25. Mr. Stanley. A bill for an act to prevent sheep, horses and cattle being moved from any county in this state into any other county in this state, etc.

House bill No. 25 was read first time and passed to second reading without question.

Mr. Whalley moved that the governor's veto messages be made a special order for 10 o'clock a. m. tomorrow.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
September 27, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the president has appointed Senators Patterson and Howe as the committee on the part of the senate to examine the management of the penitentiary, as provided by house concurrent resolution No. 3.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 27, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 3.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 27, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has concurred in house joint resolution No. 2.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 27, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 4.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 29, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 1.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 27, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that he has appointed Senators Taylor and Kelly as the committee on the

part of the senate to examine the books and accounts of the Oregon insane asylum, as provided by house concurrent resolution No. 4.

S. L. MOORHEAD,  
Chief clerk.

House bill No. 26. Mr. Hill. A bill for an act to create the office of clerk in justice's courts, etc.

House bill No. 26 was read first time and passed to second reading without question.

Senate bill No. 23 was read first time and passed to second reading without question.

Mr. Butt moved that the rules be suspended and that senate bill No. 23 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Young and Mr. Speaker—54.

Nays—Messrs. Gregg and Stump—2.

Absent—Messrs. Donnelly, Jones and Thompson of Clackamas—3.

So the rules were suspended and senate bill No. 23 was read second time by title only.

Mr. Butt moved that senate bill No. 23 be considered engrossed, read third time and placed on final passage.

Mr. Gregg moved that senate bill No. 23 be referred to the Polk county delegation.

The motion prevailed.

Unanimous consent being given, Mr. Stillman introduced house resolution No. 19.

#### HOUSE RESOLUTION NO. 19.

*Resolved*, That the chief clerk of the house be required and is hereby authorized to furnish each member of the house with a house calendar similar to that furnished at the regular session of 1895, giving the exact status of each measure before the house on the morning of each daily session.

On motion, the resolution was adopted.

Mr. Ross offered the following amendments to house rule No. 41: That house rule No. 41 be amended, by striking out the

words "two hundred and fifty" and inserting in place thereof "two hundred and forty"; and inserting after the words "to be numbered" the words "in the order introduced."

On motion of Mr. Ross, the amendments were adopted.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
September 29, 1898. }

*Gentlemen of the legislative assembly:*

Owing to the destruction recently by fire of the mechanical hall of the agricultural college at Corvallis, a large number of students will be greatly inconvenienced in the prosecution of their studies, unless some measures are immediately taken for the erection of a suitable building for the ensuing year. In consideration of these facts, I submit to you the propriety of making an appropriation for the purpose of its erection, and herewith forward, for fuller information, a copy of a report to me from Hon. J. T. Apperson, president of the board of regents of the Oregon agricultural college.

WM. P. LORD,  
Governor.

#### REPORT.

OREGON AGRICULTURAL COLLEGE, }  
CORVALLIS, Oregon, }  
September 28, 1898. }

*To his excellency, W. P. Lord, governor of Oregon:*

I regret to have to report to you the entire loss of the mechanical building and its contents at the Corvallis college last night by fire. The aggregate loss will approximate \$35,000. We have insurance on the building and machinery amounting to \$16,000.

This loss is a great inconvenience to the large number of students now in attendance at this institution. It will be absolutely necessary to take steps at as early a date as possible to secure the erection of a suitable building to accommodate the students in attendance during this year. There is enrolled in the several mechanical departments of this institution over one hundred and twenty scholars that cannot be instructed in the mechanical departments until such time as we can make arrangements for the replacement of this building and the necessary machinery to enable us to impart instruction required. I would also report that we sustained a loss of the entire arms that were used in the military instruction of this institution. These

arms were insured to the extent of \$1,750. I regret that it appears inevitable that we shall have to ask at the hands of the legislature now in session that they should make provision for the early construction of the necessary building to enable us to do the work required at the college and station. I do not think that the insurance money of all the insurance companies will more than replace the loss in the machinery and implements that was lost by reason of fire.

On behalf of the board of regents, I, as its president, will ask that you submit to the legislature now in session the importance of their taking early action in this matter.

I will probably convene, at an early date, the board, so that they may take necessary action for the construction of adequate buildings to accommodate the large number of students in attendance in this department.

Very respectfully submitted,

J. T. APPERSON,  
President board of regents.

Mr. Nichols moved that the special message of the governor be referred to the committee on agriculture with power to make an investigation relative to the loss, and report by bill or otherwise such recommendation as in their judgment is proper to be taken.

The motion prevailed.

Mr. Stillman moved that the speaker appoint a committee on daily revision of the journal, in accordance with that of the 1895 session.

The motion prevailed.

The speaker stated he hoped to have his committees ready to announce tomorrow.

On motion, the house adjourned to 10 o'clock a. m. Friday, September 30.

A. C. JENNINGS,  
Chief clerk.

FRIDAY, SEPTEMBER 30, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 30, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker. The roll was called, and all the members were present except Messrs. Bayer, Conn, Donnelly, Hobkirk, McCourt, Myers and Young.

The morning session of the house was opened with prayer by Rev. J. W. Bowersox.

On motion of Mr. Reeder, the reading of the journal of yesterday's proceedings was dispensed with.

The speaker announced the committee on agriculture as follows: Messrs. Stewart, Nichols and Wilson.

The speaker called Mr. Roberts to the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
September 29, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 6, providing for a joint committee to prepare a school law to be by them presented at the next regular session.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

SENATE CONCURRENT RESOLUTION NO. 6.

Whereas, the laws of Oregon touching public schools are in a chaotic state and are in need of thorough revision; and

Whereas, much time and deliberation is needed to arrange a law that will enable the public school system of Oregon to grow at a pace commensurate with the demands of public sentiment, and to put her upon equal footing educationally with older states; therefore, be it

*Resolved*, That a committee of two on the part of the senate and three on the part of the house be appointed to act in the

interim before the meeting of the regular session in January to prepare a school law to be presented at such session, such committee to act without compensation and without incurring any expense whatever to the state.

On motion, the resolution was concurred in.

#### COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
September 30, 1898. }

*To the honorable the house of representatives of the legislative assembly of the state of Oregon—*

GENTLEMEN: I have the honor herewith to transmit to the house certain recommendations of the state board of equalization, addressed to the legislative assembly of the state of Oregon. These recommendations were directed to the nineteenth legislative assembly, but could not be transmitted to that assembly, as it did not organize. I transmit these recommendations to this legislative assembly, it being the first organized assembly since the recommendations were filed.

I have the honor to be, very respectfully, your obedient servant,  
H. R. KINCAID,  
Secretary of state.

#### RECOMMENDATIONS.

OFFICE OF STATE BOARD OF EQUALIZATION, }  
SALEM, Oregon, }  
December 30, 1898. }

*Hon. H. R. Kincaid, secretary of state, Salem, Oregon—*

DEAR SIR: By direction of the state board of equalization, I inclose you herewith a list of recommendations for changes in the equalization law, with the request that you transmit it to the legislature when it assembles.

I also inclose you a list of property omitted from the rolls of various counties which will probably be placed upon the county rolls by sheriff's assessment.

Yours truly,

H. L. WELLS,  
Secretary.

Recommendations to the Oregon state legislature at its 1897 session as to changes in assessment laws of the state of Oregon:—

I. Require the assessors to conform to the classification of all real and personal property as prescribed by law under sufficient penalty.

II. Classification.—*First*, tillable lands; *second*, non-tillable

lands; *third*, improvements on deeded lands; *fourth*, improvements on non-deeded lands; *fifth*, railroad tracks; *sixth*, street railroads and electric lines; *seventh*, telegraph and telephone lines; *eighth*, money; *ninth*, notes and accounts; *tenth*, shares of stock of national and state banks (providing that all other corporations be assessed on property and not as shares of stock); *eleventh*, household furniture, carriages, watches, etc.; *twelfth*, merchandise and stock in trade; *thirteenth*, machinery and equipments, including steamboats and stationary engines; *fourteenth*, farming implements and farm machinery; *fifteenth*, horses and mules; *sixteenth*, cattle; *seventeenth*, sheep and goats; *eighteenth*, swine; *nineteenth*, railroad rolling stock.

III. Providing for all sheriff's assessment rolls be furnished to the secretary of state and added to totals of assessment rolls of succeeding years, for state purposes only.

IV. Require all assessment rolls to be delivered to the secretary of state at fixed date, providing a penalty for noncompliance.

V. Have all changes made by state board of equalization relate only to state levy.

VI. Have each county furnish its *pro rata* of state tax after state levy has been made.

G. WINGATE,  
WM. C. WILLIS,  
I. H. HOLLAND,  
ROBT. WALKER,  
D. P. THOMPSON,  
A. C. AULDON.

Memorandum of property omitted from county rolls of 1896: Morrow county, Western Union Telegraph Company; Baker county, Oregon Construction Company, Huntington, Baisley-Elkhorn mine, Robbins-Elkhorn mine; Wasco county, Eastern Oregon Land Company, about 25,000 acres of land.

On motion, the communication was referred to the committee on assessment and taxation.

#### COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
September 29, 1898. }

*To the honorable the speaker of the house of representatives of the legislative assembly of the state of Oregon—*

SIR: I have the honor to transmit to you herewith the correspondence between this office and the office of attorney-general of Oregon, on the question of submitting to the voters of this

state at the general election held on June 1, 1896, four constitutional amendments, passed by the seventeenth and eighteenth biennial legislative assemblies in the form of joint resolutions.

Yours very respectfully,

H. R. KINCAID,  
Secretary of state.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
October 18, 1895. }

*Hon. C. M. Idleman, attorney-general, Portland, Oregon —*

DEAR SIR: Article XVII of the constitution of the state of Oregon, page 114, Hili's code, provides that when an amendment or amendments to the constitution shall have been agreed to by two successive sessions of the legislative assembly "then it shall be the duty of the legislative assembly to submit such amendment or amendments to the electors of the state, and cause the same to be published without delay at least four consecutive weeks in several newspapers published in this state, etc."

Four proposed amendments were passed by the seventeenth and eighteenth biennial sessions of the legislative assembly, but no provision was made to submit such amendments to the electors of the state and cause their publication. Please give me your opinion in writing as to whether said failure invalidates these amendments, or whether it is the duty of the secretary of state to submit these amendments to the electors, by including them in the election laws, which he is required to have printed and sent to the several counties six (6) months in advance of every election, or in any other manner.

Yours very truly,

H. R. KINCAID,  
Secretary of state.

OFFICE OF THE ATTORNEY-GENERAL, }  
SALEM, Oregon, }  
December 9, 1895. }

*To the Hon. Harrison R. Kincaid, secretary of state, Salem, Oregon —*

DEAR SIR: Yours of recent date asking my opinion concerning your duty as secretary of state, regarding the submitting to the people the four proposed constitutional amendments which were passed by the last legislative assembly, and whether you are required to include them in the election laws to be published and sent out six months in advance of the general election to be held in June, 1896, is at hand.

Answering, will say I do not believe it your duty to do either; and further, I find nothing in the constitution nor in the laws of

the state consistent with the exercise of the functions of your office that would warrant you, under the circumstances, in doing so. Article XVII, section 1 of the constitution of this state provides as follows:—

“Any amendment or amendments to this constitution may be proposed in either branch of the legislative assembly, and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall with the yeas and nays thereon be entered on their journals, and referred to the legislative assembly to be chosen at the general election, and if, in the next legislative assembly so chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislative assembly to submit such amendment or amendments to the electors of the state, and cause the same to be published without delay at least four consecutive weeks in several newspapers published in this state; and if a majority of said electors shall ratify the same, such amendment or amendments shall become a part of this constitution.”

While these amendments passed both houses of the legislative assembly in 1893, and again in 1895, and the first part of the above section of the constitution was complied with, yet this is not enough, as the latter part of the same section provides as follows:—

“Then it shall be the duty of the legislative assembly to submit such amendment or amendments to the electors of the state, and cause the same to be published without delay at least four consecutive weeks in several newspapers published in this state; and if a majority of said electors shall ratify the same, such amendment or amendments shall become a part of this constitution.”

This has not been complied with.

The above provision is mandatory, and if it was directory only it would confer no power upon anyone to publish and submit the amendments to the people, other than the legislative assembly.

Senate bill No. 236 was introduced, making provisions for the publication of these amendments and for their submission to the people for their ratification or rejection at the election to be held in June, 1896. This bill passed the senate, was sent to the house on the last day of the term, where it went to its second reading, but was never passed.

There are two ways in which a constitution may be amended; one is by convention especially and regularly called for that purpose, and the other is in the mode prescribed and designated in the constitution itself.

The latter part of section 1, article XVII of the constitution, clearly provides the manner in which the constitution may be amended.

That part of the section requiring its publication by the legislative assembly and its submission to the people by that body is as essential to the fulfillment and requirements of the provisions contained therein as the first part of the section, requiring that it pass both branches of the legislative assembly at two successive sessions.

The authorities are explicit in laying down the rule that when a mode is prescribed and designated in the constitution for its amendments, this mode or manner must be strictly followed.

Any deviation from the terms and conditions expressed in the constitution, by which it may be amended, if not fully and entirely complied with, would not only be void, but would be a violation of the constitution itself.

This proposition has been thoroughly discussed in the case of *Collier, Governor, v. Frierson*, in 24 Ala. page 100, in which the court says: "We entertain no doubt, that to change the constitution in any other mode than by a convention, every requisition which is demanded by the instrument itself must be observed, and the omission of any one is fatal to the amendment."

We scarcely deem any argument necessary to enforce this proposition. The constitution is a supreme and paramount law. It has been said that certain acts are to be done and certain requisitions to be observed before a change can be effected.

But to what purpose are these acts requiring or these requisitions enjoined if the legislature or any other department of the government can dispense with them? To do so would be to violate the instrument which they have sworn to support; and every principle of public law and sound constitutional policy requires the courts to pronounce against every amendment, which is shown not to have been made in accordance with the rules prescribed by the fundamental law.

This case has been followed and adopted in other states in the Union interpreting this same principle.

Judge Cooley, in his excellent works on constitutional limitations, at page 30, in discussing the same proposition, lays down the same rule, citing the above case.

This doctrine appears to have been carried even further in Massachusetts, in which it is held that if the people by vote should decide to call a convention of delegates to consider the expediency of altering the constitution in some particular part thereof, while the delegates would derive their whole authority and power from the vote of the people, yet upon the principles

governing the delegation of power and authority, they would have no right under such a vote to act upon a proposed amendment on other parts of the constitution not so specified: 6 Cushing, 573. In the case at hand the proposition above discussed is the only principle involved. If the legislative assembly of 1895 had complied with all the conditions and terms specified and laid down in section 1, article XVII of the constitution, then these amendments should be submitted to the people and should be included in the publication of the laws.

The legislative assembly of 1893-1895 complied with the first part of section 1, article XVII, the amendments passing both of the legislative assemblies as therein required. However, the legislative assembly of 1895 having failed to make any provision for the publication of these amendments or for their submission to the people, I do not deem it such a compliance with the fundamental law of the state as would make it effectual if submitted in any other manner; neither do I find any authority in the constitution or in the statutes conferring upon you, in the exercise of the functions of your office, the power to publish or submit them, and I believe you would be unwarranted in doing so.

Whether this neglect on the part of the legislative assembly to publish and submit them would invalidate these amendments, I do not deem it necessary at this time to pass upon.

Respectfully submitted,

C. M. IDLEMAN,  
Attorney-general.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
September 29, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate joint resolution No. 7, providing for disposition of Hill's annotated laws of Oregon at the end of the session.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### SENATE JOINT RESOLUTION NO. 7.

*Resolved by the senate, the house concurring,* That the ninety copies of Hill's annotated laws of Oregon voted for the use of the members of the senate and house be turned in to the secretary of state at the end of this session for the use of the members at the next regular session.

Mr. Flagg moved the adoption of the resolution.

Mr. Stillman moved that the resolution be indefinitely postponed.

The motion prevailed.

The special order set on yesterday for taking up the governor's veto messages was taken up.

House bill No. 14, passed by the session of 1895 coming on, Mr. Morton moved to indefinitely postpone.

Mr. Flagg moved to sustain the governor's veto.

Mr. Moody raised the point of order that to indefinitely postpone was to sustain the veto.

The chair so held.

The motion to indefinitely postpone prevailed.

Special order on veto message on house bill No. 380 was taken up.

On motion of Mr. Stillman, the matter was referred to the Douglas county delegation.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 30, 1898. }

*Mr. Speaker :*

We, your committee on resolutions, to whom was referred house concurrent resolution No. 5, beg leave to report that we have had the same under consideration, and recommend that it be not adopted, for the reason that the war with Spain calling for the enlistment of the Oregon national guard has placed the military department of the state in a chaotic state rendering an investigation almost impossible, and for the further reason that the department handles no funds and there is nothing at this time to investigate.

C. J. CURTIS,  
Chairman.

On motion of Mr. Reeder, the report was adopted.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
September 30, 1898. }

*Mr. Speaker :*

We, your committee on resolutions, to whom was referred senate concurrent resolution No. 5, beg leave to report that we have

had the same under consideration, and recommend that it be amended by inserting the following: "that they be empowered to employ one clerk at a per diem not exceeding \$3."

C. J. CURTIS,  
Chairman.

Mr. Moody moved to amend by adopting, and that the action of the speaker be ratified.

Mr. Moody's amendment carried, and a motion to adopt prevailed.

On motion of Mr. McCulloch, the committee on agriculture was excused till 10 o'clock a. m. Monday.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
September 30, 1898. }

*Mr. Speaker:*

We, your committee on resolutions, to whom was referred house resolution No. 10, beg leave to report that we have had the same under consideration, and recommend that it be adopted, for the reason that persons smoke in the house prior to its opening and during adjournment, filling the house with smoke, offensive to some members and the ladies.

C. J. CURTIS,  
Chairman.

On motion, the report was adopted.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
September 30, 1898. }

*Mr. Speaker:*

We, your committee on resolutions, to whom was referred house concurrent resolution No. 6, beg leave to report that we have had the same under consideration, and recommend that it be amended by inserting the following: "That they be empowered to employ one clerk at a per diem not exceeding \$3."

C. J. CURTIS,  
Chairman.

On motion, the report was adopted.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 September 30, 1898. }

*Mr. Speaker :*

We, your committee on resolutions, to whom was referred house concurrent resolution No. 7, beg leave to report that we have had the same under consideration, and recommend that it be not adopted, for the reason that it would require at least two experts at a cost of \$20 per day, besides clerical aid, and the further fact that the fiscal year does not end until January, and the books are not in a condition to be examined and will have to be experted and examined at the regular session.

C. J. CURTIS,  
 Chairman.

On motion, the report was adopted.

The chair held that adopting the report killed the resolution.

House bill No. 27. Mr. Topping. A bill for an act to authorize Coos county, Oregon, to sell and convey certain county property in Empire City, Coos county, Oregon.

Mr. Topping moved that the rules be suspended and that house bill No. 27 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Farrell, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Knight, Kruse, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott and Young—46.

Nays—None.

Absent—Messrs. Bayer, Conn, Donnelly, Hobkirk, Flagg, Jones, Lamson, Myers, Nichols, Palmer, Ross, Stewart, Wilson and Mr. Speaker—14.

So the rules were suspended and house bill No. 27 was read first time by title only and passed to second reading.

House bill No. 28. Mr. Freeland. A bill for an act providing for the salaries of county clerks and sheriffs.

House bill No. 28 was read first time and passed to second reading without question.

House bill No. 29. Mr. Gray. A bill for an act giving precedence in appointment and employment to honorably discharged Union soldiers and sailors.

House bill No. 29 was read first time and passed to second reading without question.

House bill No. 30. Mr. Palmer. A bill for an act to amend section 3587, page 1559, chapter LI, Hill's annotated laws of Oregon, reducing rate of interest to six per cent.

House bill No. 30 was read first time and passed to second reading without question.

House bill No. 31. Mr. Butt (by request). A bill for an act to regulate the rights of persons to examine public records, etc.

House bill No. 31 was read first time and passed to second reading without question.

House bill No. 32. Mr. Thompson of Washington. A bill for an act to regulate and fix the salaries of the county clerk, sheriff and recorder of Washington county.

House bill No. 32 was read first time and passed to second reading without question.

Mr. Ross was granted unanimous consent to make a motion, and moved that the vote by which house resolution No. 10 was adopted be reconsidered.

The motion prevailed.

Mr. Williamson moved to amend by adding the words "during all times when the house is in session."

Mr. Flagg moved to indefinitely postpone.

The motion prevailed.

Speaker Carter resumed the chair.

The speaker announced the following standing committees:—

#### HOUSE STANDING COMMITTEES.

*Agriculture*—Stewart, Nichols, Wilson.

*Alcoholic traffic*—Smith, Thompson of Clackamas, Palmer.

*Assessment and taxation*—Freeland, Hill, Lewis, Massingill, Whitney.

*Banking and insurance*—Ross, Flagg, Stillman.

*Capitol buildings and grounds*—Cummings, Davis, Conn.

*Cities and towns*—Massingill, Topping, Stump.

*Claims*—Jones, Myers, Smith.

*Commerce*—Hobkirk, Maxwell, Gray, Curtis, McAlister.

*Corporations*—Kruse, Thompson of Washington, Virtue.

*Counties*—Roberts, Donnelly, Brattain, Bayer, Reeder.

*Education*—Marsh, Nichols, Fordney, Stewart, Whalley.

*Elections*—Hill, Stanley, Freeland, Ross, Blackaby.

*Engrossed bills*—Maxwell, Stewart, Whalley.

*Enrolled bills*—McCulloch, Massingill, Donnelly.

*Federal relations*—Sherwin, Kruse, Smith.

*Fisheries and game*—Young, Farrell, Hall, Myers, Roberts.

*Food and dairy products*—Thompson of Washington, Hall, Gray.

*Horticulture*—Morton, Briggs, Wonacott.  
*Indian affairs*—Hawson, Young, Platts.  
*Internal improvements*—McCourt, McQueen, McAlister.  
*Irrigation*—Williamson, Morton, Grace.  
*Judiciary*—Reeder, Moody, McCulloch, Whitney, Williamson.  
*Labor*—Briggs, Knight, Lamson.  
*Manufactures*—Bayer, Kruse, Stump.  
*Medicine and pharmacy*—Hall, Grace, Sherwin.  
*Military affairs*—Myers, Wilson, Young.  
*Mining*—Brattain, Virtue, Donnelly.  
*Penal, reform and charitable institutions*—Butt, Moody, Gray.  
*Printing*—Curtis, Beach, Flagg.  
*Public lands*—Stillman, Williamson, McQueen, Moody, Palmer.  
*Health and public morals*—Farrell, Conn, McCourt.  
*Public library*—Lewis, Freeland, Jones.  
*Railways and transportation*—Stanley, Marsh, Hobkirk, Butt, Stillman.  
*Roads and highways*—Wonacott, Lewis, Knight, Hill, Hawson.  
*Rules and joint rules*—Thompson of Clackamas, Ross, Platts.  
*Salaries and mileage*—Topping, Blackaby, Cummings.  
*Salaries of state and county officers*—Davis, Gregg, Hawson.  
*Statistics and immigration*—Lamson, Thompson of Clackamas, Fordney.  
*Ways and means*—Beach, Curtis, Davis, Flagg, Grace.  
 On motion, the house adjourned to 2 o'clock p. m. today.  
 A. C. JENNINGS,  
 Chief clerk.

## AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 September 30, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Bayer, Conn, Cummings, Davis, Donnelly, Flagg, Freeland, Hill, Myers, Stewart, Wilson and Young.

House bill No. 33. Mr. Ross. A bill for an act to abolish tenancy by entireties.

House bill No. 33 was read first time and passed to second reading without question.

House bill 34. Mr. Freeland. A bill for an act changing the times of holding court in the sixth judicial district.

House bill No. 34 was read first time and passed to second reading without question.

House bill No. 35. Mr. Hill. A bill for an act to prohibit the sale of railroad tickets at cut rates by other than railroad companies.

Mr. Hill moved that the rules be suspended and that house bill No. 35 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Curtis, Davis, Farrell, Grace, Gray, Gregg, Hall, Hawson, Hill, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wanacott, Young and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Bayer, Conn, Cummings, Donnelly, Flagg, Fordney, Freeland, Hobkirk, Myers, Stewart, Thompson of Washington and Wilson—12.

So the rules were suspended and house bill No. 35 was read first time by title only and passed to second reading.

House bill No. 36. Mr. Marsh. A bill for an act to more definitely establish the boundaries of Washington county, Oregon, passed by the legislative assembly of the state of Oregon, which was filed in the office of the secretary of state, February 22, 1893.

House bill No. 36 was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 30, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 22.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

September 30, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 8, providing for a

joint committee to examine the building and management of the Oregon soldiers' home, and report at next regular session.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### SENATE CONCURRENT RESOLUTION NO. 8.

*Resolved by the senate, the house concurring,* That a joint committee of two on the part of the senate and three on the part of the house be appointed to investigate the building and management of the Oregon soldiers' home at Roseburg, Oregon; that said committee be empowered to send for persons and all necessary papers to aid it in its investigation; that said committee be authorized to report its findings at the regular biennial session of the legislature to be held commencing in January, 1899.

The resolution was referred to the committee on resolutions.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
September 29, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 9.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

House bill No. 1 coming on for second reading, Mr. Curtis moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—52  
Nays—None.

Absent—Messrs. Bayer, Conn, Cummings, Donnelly, Hobkirk, Myers, Stewart and Wilson—8.

So the rules were suspended and house bill No. 1 was read second time by title only.

House bill No. 1 was referred to the committee on fisheries and game, with leave to report at any time.

House bill No. 2 coming on for second reading was read second time.

House bill No. 2 was referred to the committee on assessment and taxation.

House bill No. 7 coming on for second reading, Mr. Hill moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Bayer, Conn, Donnelly, Farrell, Hobkirk, Myers, Nichols and Wilson—8.

So the rules were suspended and house bill No. 7 was read second time by title only.

House bill No. 7 was referred to the committee on elections, with leave to report at any time.

House bill No. 3 coming on for second reading was read second time.

House bill No. 3 was referred to the committee on labor.

House bill No. 4 coming on for second reading was read second time.

House bill No. 4 was referred to the committee on judiciary.

House bill No. 5 coming on for second reading was read second time.

House bill No. 5 was referred to the committee on fisheries and game.

House bill No. 6 coming on for second reading was read second time.

House bill No. 6 was referred to the committee on fisheries and game.

House bill No. 8 coming on for second reading was read second time.

House bill No. 8 was referred to the committee on elections.

Mr. Ross moved that when the house adjourn it adjourn to meet Monday at 2 o'clock p. m.

The motion prevailed.

The speaker named the committee for daily revision of the house journal as follows: Messrs. Hall, Stillman and Lewis.

On motion of Mr. Curtis, the house took up the first order of business.

Mr. Gray introduced house concurrent resolution No. 10.

#### HOUSE CONCURRENT RESOLUTION NO. 10.

*Resolved by the house, the senate concurring,* That a committee of two from the house and one from the senate be appointed to examine the books and the condition of the soldiers' home at Roseburg, Oregon, and report at the regular session of the legislature in January, 1899, said committee to consist of old soldiers.

The resolution was referred to the committee on resolutions.

Mr. Curtis introduced house resolution No. 20.

#### HOUSE RESOLUTION NO. 20.

*Resolved,* That a committee of five be appointed, consisting of the speaker, chief clerk, assistant clerk and two members appointed by the speaker, whose duty it shall be to examine, correct and approve the journal of the house, not read and approved during the session, also the calendar, and said approval to be made within twelve days after the close of the present session of the legislative assembly; the said committee shall be allowed the same per diem as the chief clerk, and shall perform the same service as prescribed in this resolution without the aid of clerical assistance.

The resolution was referred to the committee on resolutions.

Mr. Curtis (by request) introduced house joint resolution No. 5.

#### HOUSE JOINT RESOLUTION NO. 5.

*Resolved by the house, the senate concurring,* That the following amendment to the constitution of the state of Oregon be and the same is hereby proposed: —

Section 1 of article IV of the constitution of the state of Oregon shall be and hereby is amended to read as follows:

Sec. 1. The legislative authority of the state shall be vested in the legislative assembly, subject to the supreme power of the people to propose and enact any law, and to reject any bill as herein provided. The legislative assembly shall consist of a senate and house of representatives. The style of every bill shall be, "Be it enacted by the people of the state of Oregon." The

legislative assembly shall have power to refer any bill to the legal voters of the state for approval or rejection. Five thousand legal voters of the state shall have the right and power to propose any bill or constitutional amendment to all the legal voters for approval or rejection; this shall be done by initiative petition, which shall include the full text of the measure so proposed. Three thousand legal voters shall have the right and power, by referendum petition, to require the submission to all the legal voters for approval or rejection of any bill passed by the legislative assembly. The legislative assembly must refer to all the legal voters for approval or rejection, every increase in any appropriation of public funds, every increase in the salary of any public officer, and every new appropriation of public funds. Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon. Referendum petitions shall be filed with the secretary of state not more than thirty days after the final adjournment of the session of the legislative assembly which passed the bill on which the referendum is demanded. All elections on state laws shall be at the biennial regular general elections, except when the legislative assembly shall order a special election. No measure referred to the legal voters shall become a law unless it shall be approved by the majority of the votes cast thereon. Until laws are enacted especially providing for the enforcement of this amendment, the secretary of state shall be guided in referring measures under this amendment by the general election laws and this act referring this amendment to the electors for approval or rejection.

On motion of Mr. Reeder, the resolution was indefinitely postponed.

On motion of Mr. Moody, the house adjourned until Monday next at 2 o'clock p. m.

A. C. JENNINGS,  
Chief clerk.

MONDAY, OCTOBER 3, 1898.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 3, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Beach, Brattain, Freeland, Knight, McQueen, Palmer and Virtue.

The morning session of the house was opened with prayer by Rev. Mr. Drake.

On motion of Mr. Myers, the reading of the journal was dispensed with.

Mr. Moody moved that house joint resolution No. 1 be taken from the table.

The motion prevailed.

Mr. Young moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Grace, Gray, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, Moody, Morton, Myers, Nichols, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Williamson, Wilson, Wonacott, Young and Mr. Speaker—48

Nays—Messrs. Flagg, Fordney, Gregg and McCulloch—4.

Absent—Messrs. Beach, Brattain, Cummings, Freeland, Jones, McQueen, Palmer and Whitney—8.

So the resolution was adopted.

The committee on claims requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on counties requested that it be allowed to employ one clerk.

On motion, the request was granted.

On motion of Mr. McCulloch, the committee on fisheries and game was allowed one clerk.

HOUSE JOINT RESOLUTION NO. 6.

Whereas, agriculture is the chief industry of the people of the United States, and upon the prosperity of which all other industries are greatly benefited; and

Whereas, the inland empire has this year raised the most colossal wheat crop in the history of the state; and,

Whereas, owing to lack of adequate transportation facilities the people are burdened with excessive tariff rates for the movement of their crops to tidewater; therefore, be it

*Resolved by the legislative assembly of the state of Oregon*, That we respectfully request our senators and representatives in congress to urge upon the administration and war department the imperative necessity for the speedy opening of the Columbia river at The Dalles and Celilo, and inasmuch as preliminary work with this object in view has already been started, that the same be prosecuted to a final completion with the least possible delay; and be it

*Further resolved*, That the secretary of state be and is hereby instructed to furnish a copy of this resolution to each of our United States senators and representatives in congress.

Mr. Hawson moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Beach, Cummings, Freeland Palmer—4.

So the resolution was adopted.

Mr. Myers asked that one clerk be allowed the committee on military affairs.

On motion, the request was granted.

Mr. Hall asked for one clerk for the committee on medicine and pharmacy.

On motion, the request was granted.

Mr. Topping introduced house resolution No. 21.

HOUSE RESOLUTION NO. 21.

*Resolved*, That house bill No. 27, to authorize Coos county, Oregon, to sell and convey certain county property in Empire

City, Coos county, Oregon, read first time September 30, be recalled from the state printer by the chief clerk and read the second time, and that for such purpose the rules of the house be suspended.

On motion of Mr. Topping, the resolution was adopted.

Mr. Topping introduced house resolution No. 22.

#### HOUSE RESOLUTION NO. 22.

*Resolved*, That the committee on salaries and mileage be allowed one clerk.

On motion of Mr. Topping, the resolution was adopted.

The committee on roads and highways asked that they be allowed one clerk.

On motion, the request was granted.

Mr. Ross introduced house resolution No. 23.

#### HOUSE RESOLUTION NO. 23.

*Resolved*, That the committee on banking and insurance be allowed one clerk.

On motion of Mr. Ross, the resolution was adopted.

Mr. Hill, chairman of the committee on elections, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 3, 1898. }

*Mr. Speaker:*

Your committee on elections, to whom was referred house bill No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it be considered engrossed and placed upon its final passage.

GEORGE H. HILL,  
Chairman.

Mr. Hill moved the adoption of the report.

Mr. Flagg moved to make the matter a special order for 10 o'clock a. m. Friday next.

The amendment prevailed.

House bill No. 37. Mr. Butt. A bill for an act to provide for the appointment of three commissioners by the supreme court.

House bill No. 37 was read first time and passed to second reading without question.

House bill No. 38. Mr. Young. A bill for an act granting exempt certificates to the members of the Astoria volunteer fire department.

House bill No. 38 was read first time and passed to second reading without question.

House bill No. 39. Mr. Flagg. A bill for an act to incorporate the city of Salem.

Mr. Flagg moved that the rules be suspended and that house bill No. 39 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—Mr. McCulloch—1.

Absent—Mr. Ross—1.

So the rules were suspended and house bill No. 39 was read first time by title only and passed to second reading.

House bill No. 40. Mr. Fordney. A bill for an act to provide for the retention within the state of Oregon of the legal reserve on all policies on lives of citizens of this state

House bill No. 40 was read first time and passed to second reading without question.

House bill No. 41. Mr. Gray. A bill for an act to regulate the opening of doors to public buildings.

House bill No. 41 was read first time and passed to second reading without question.

House bill No. 42. Mr. Stanley. A bill for an act to provide for a display at the Omaha exposition.

House bill No. 42 was read first time and passed to second reading without question.

House bill No. 43. Mr. Davis. A bill for an act to reimburse Lincoln county, Oregon, for overpaid taxes.

House bill No. 43 was read first time and passed to second reading without question.

Mr. Davis moved that the rules be suspended and that house bill No. 43 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, Mc-

Alistair, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. McCulloch—1.

So the rules were suspended and house bill No. 43 was read second time by title only.

House bill No. 43 was referred to the committee on assessment and taxation, with leave to report at any time.

House bill No. 44. Mr. Curtis. A bill for an act to amend section 2194 of title I of chapter II, miscellaneous laws of Oregon.

House bill No. 44 was read first time and passed to second reading without question.

House bill No. 45. Mr. Sherwin. A bill for an act to amend an act entitled an act to incorporate the city of Ashland, Jackson county, Oregon, and to define the powers thereof.

Mr. Sherwin moved that the rules be suspended and that house bill No. 45 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Jones and McCulloch—2.

So the rules were suspended and house bill No. 45 was read first time by title only and passed to second reading.

Mr. Sherwin moved that the rules be suspended and that house bill No. 45 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson

of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Jones and McCulloch—2.

So the rules were suspended and house bill No. 45 was read second time by title only.

Mr. Sherwin moved that the rules be further suspended and that house bill No. 45 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Jones and McCulloch—2.

So the rules were suspended and house bill No. 45 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Donnelly and Hawson—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 27 coming on for second reading, Mr. Topping moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Beach and Whitney—2.

So the rules were suspended and house bill No. 27 was read second time by title only.

Mr. Topping moved that the rules be further suspended and that house bill No. 27 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Beach—1.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Beach—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 46. Mr. Maxwell. A bill for an act to amend section 2330 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to terms of circuit court in the third district.

House bill No. 46 was read first time and passed to second reading without question.

Mr. Young moved that the rules be suspended and that house bill No. 46 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Free-land, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Beach—1.

So the rules were suspended and house bill No. 46 was read second time by title only.

Mr. Maxwell moved that the rules be further suspended and that house bill No. 46 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Free-land, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Beach—1.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Beach.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 47. Mr. Stillman. A bill for an act to provide for the keeping up of upper berths in sleeping cars when lower berth is not occupied.

House bill No. 47 was read first time and passed to second reading without question.

House bill No. 48. Mr. Hobkirk. A bill for an act to amend section 2418 of the miscellaneous laws of Oregon, creating a recorder for Multnomah county and defining his duties and the books to be kept by him.

House bill No. 48 was read first time and passed to second reading without question.

House bill No. 42 coming on for second reading, Mr. Stanley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Beach—1.

So the rules were suspended and house bill No. 42 was read

second time by title only and referred to the committee on ways and means.

House bill No. 49. Mr. Reeder. A bill for an act to cure defects in deeds heretofore made to real property, etc.

House bill No. 49 was read first time and passed to second reading without question.

Mr. Reeder moved that the rules be suspended and that house bill No. 49 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Free-land, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wouacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Beach and Sherwin—2.

So the rules were suspended and house bill No. 49 was read second time by title only and referred to the committee on judiciary.

House bill No. 18 coming on for second reading was read second time and referred to the committee on judiciary.

Mr. Moody moved that hereafter all bills on second reading, unless otherwise ordered, shall be referred to the proper committee by the speaker.

The motion prevailed.

House bill No. 9 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 10 coming on for second reading was read second time and referred to the committee on banking and insurance.

House bill No. 11 coming on for second reading was read second time and referred to the committee on judiciary.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

Your committee on resolutions, to whom was referred senate concurrent resolution No. 8, beg leave to report that we have

had the same under consideration, and respectfully report it back to the house with the recommendation that the house concur.

C. J. CURTIS,  
Chairman.

Mr. Moody moved that the report be adopted, and that the house concur in the resolution.

The motion prevailed.

House bill No. 12 coming on for second reading was read second time and referred to the committee on fisheries and game, with leave to report at any time.

House bill No. 13 coming on for second reading was read second time and referred to the Marion county delegation.

On motion of Mr. McCulloch, the house adjourned until tomorrow at 10 o'clock a. m.

A. C. JENNINGS,  
Chief clerk.

TUESDAY, OCTOBER 4, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. McCourt and McCulloch.

The morning session of the house was opened with prayer by Rev. Mr. Clapp.

On motion of Mr. Young, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Hill moved that the house proceed to vote for United States senator at 10:30 o'clock a. m. today.

Mr. Flagg moved to amend, making the hour 12 o'clock m. today.

The amendment carried, and the motion as amended prevailed.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 4, 1898. }

*Mr. Speaker :*

Your committee on engrossed bills, to whom was referred house concurrent resolution No. 6, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
 Chairman.

House bill No. 24 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 15 coming on for second reading was read second time and referred to the committee on education.

House bill No. 16 coming on for second reading was read second time and referred to the committee on medicine and pharmacy.

House bill No. 17 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 19 coming on for second reading was read second time.

Mr. Whitney moved that house bill No. 19 be referred to the committee on judiciary.

Mr. Stillman moved to amend, by referring to the committee on railways and transportation.

Motion to amend was lost.

Mr. Roberts called for a division, and the amendment was lost by a vote of 15 to 25.

Mr. Whitney's motion to refer to the committee on judiciary prevailed.

House bill No. 20 coming on for second reading was read second time and referred to the committee on public lands.

House bill No. 21 coming on for second reading was read second time and referred to the committee on corporations.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 October 3, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate bill No. 63, a bill for an act to amend the charter of the city of Astoria.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
 Chief clerk.

## JOURNAL OF THE HOUSE.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 3, 1898. }

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 8.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 3, 1898. }

I am directed by the president to inform you that the senate has concurred in house joint resolution No. 6.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 3, 1898. }

I am directed by the president to inform you that the senate has concurred in house joint resolution No. 1.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

Mr. Whalley moved that the house return to the fifth order of business.

The motion prevailed.

House bill No. 50. Mr. Whalley. A bill for an act to provide for a separate board for the transaction of county business in the county of Multnomah.

Mr. Hill moved that the rules be suspended and that house bill No. 50 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart,

Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Jones and Cummings—2.

So the rules were suspended and house bill No. 50 was read first time by title only and passed to second reading.

Mr. Beach moved that the rules be suspended and that house bill No. 50 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Cummings and Jones—2.

So the rules were suspended and house bill No. 50 was read second time by title only.

House bill No. 50 was referred to the Multnomah delegation.

House bill No. 51. Mr. Moody. A bill for an act to amend section 2798, title VI of chapter XVII of Hill's annotated laws of Oregon.

House bill No. 51 was read first time and passed to second reading without question.

House bill No. 52. Mr. Moody. A bill for an act to amend section 3467 of title IV, chapter XIII, Hill's code.

House bill No. 52 was read first time and passed to second reading without question.

House bill No. 53. Mr. Hawson. A bill for an act to amend section 1 of article XIII of an act incorporating the city of Condon.

Mr. Hawson moved that the rules be suspended and house bill No. 53 read first time by title.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer,

Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Cummings, Jones, Whitney and Williamson—4.

So the rules were suspended and house bill No. 53 was read first time by title only and passed to second reading.

Mr. Hawson moved that the rules be further suspended and that house bill No. 53 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Cummings, Jones, McCourt and Whitney—4.

So the rules were suspended and house bill No. 53 was read second time by title only.

House bill No. 53 was referred to the Gilliam county delegation.

House bill No. 54. Mr. Curtis. A bill for an act to amend section 291, chapter III, title I, Hill's code.

House bill No. 54 was read first time and passed to second reading without question.

Mr. Curtis moved that the rules be suspended and that house bill No. 54 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Cummings and Williamson—2.

So the rules were suspended and house bill No. 54 was read second time by title only and referred to the committee on printing.

House bill No. 55. Mr. Fordney. A bill for an act to amend section 4 of an act fixing the time of holding terms of the circuit court in the eighth judicial district.

House bill No. 55 was read first time and passed to second reading without question.

Mr. Stillman asked unanimous consent to call up the report of the committee on house bill No. 14, which was granted.

Mr. Stillman, chairman of the special committee to whom was referred house bill No. 14, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 5, 1898. }

*Mr Speaker:*

Your special committee, to whom was referred house bill No. 14, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

A. D. STILLMAN,  
Chairman.

Mr. Stillman moved that the report of the committee be adopted, and that house bill No. 14 be considered engrossed, read third time now and placed on final passage.

The motion prevailed.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. McCulloch, Virtue and Whalley—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The committee on public lands requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on commerce requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on manufactures requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on health and public morals requested that it be allowed to employ one clerk.

On motion, the request was granted.

Multnomah delegation requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on Indian affairs requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on horticulture requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on salary of state and county officers requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on internal improvements requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on fisheries and game requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on corporations requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on federal relations requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on agriculture requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on railroads and transportation requested that it be allowed to employ one clerk.

On motion, the request was granted.

The committee on railroads and transportation requested that it be allowed to employ two clerks.

On motion of Mr. Roberts, the request was denied.

The committee on ways and means asked leave to retire, which was granted.

The speaker called Mr. Maxwell to the chair.

Mr. Young moved that the rules be suspended and that senate bill No. 63 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Davis, Donnelly, Farrell, Fordney, Freeland, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Young — 53.

Nays — None.

Absent — Messrs. Beach, Curtis, Flagg, Grace, Gray, McCourt and Mr. Speaker — 7.

So the rules were suspended and senate bill No. 63 was read first time by title only and passed to second reading.

Mr. Young moved that the rules be further suspended and that senate bill No. 63 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Young — 53.

Nays — None.

Absent — Messrs. Beach, Curtis, Grace, Gray, McAlister, McCourt and Mr. Speaker — 7.

So the rules were suspended and senate bill No. 63 was read second time by title only and referred to the Clatsop county delegation.

Mr. Farrell introduced house concurrent resolution No. 11.

#### HOUSE CONCURRENT RESOLUTION NO. 11.

*Resolved by the house, the senate concurring,* That a special committee, consisting of three on the part of the house and two on the part of the senate, be appointed to examine into the manage-

ment and conduct of the blind school and to report the condition of said institution.

On motion of Mr. Myers, the resolution was adopted.

Mr. Myers introduced house concurrent resolution No. 12.

#### HOUSE CONCURRENT RESOLUTION NO. 12.

*Resolved by the house, the senate concurring,* That three on the part of the house, to be appointed by the speaker, and two on the part of the senate, to be appointed by the president, be appointed as a committee with authority to investigate the salmon and fish industries of the various rivers of the state and ascertain wherein the present laws regulating the fish industry of the state is applicable to the wants, and to make and report to the next regular session of the legislature as to what means should be taken for the promotion of the fishing industries and preservation of fish during the season of propagation, and the establishment of hatcheries; *provided*, the cost of said investigation shall not exceed \$500.

Mr. Myers moved the adoption of the resolution.

Mr. Cummings moved to amend, by referring to the committee on resolutions.

The amendment prevailed.

Mr. Hill introduced house resolution No. 24.

#### HOUSE RESOLUTION NO. 24.

*Resolved,* That the special committee appointed to examine the books and accounts of the state insane asylum be authorized to employ such expert assistance as may be necessary to enable the committee to perform its duties.

On motion, the resolution was adopted.

On motion of Mr. Myers, the courtesies of the house were extended to Hon. C. B. Moores and Hon. R. A. Miller, and they were invited to seats within the bar.

The speaker resumed the chair.

Messrs. Maxwell and Myers demanded a call of the house.

The roll was called, and all the members were present.

On motion, further proceedings under call of the house were dispensed with.

Mr. Moody moved that we proceed to ballot for United States senator.

The motion prevailed.

Nominations for United States senator being in order, Mr. Ross nominated Hon. Henry W. Corbett.

Mr. Flagg nominated Hon. M. C. George.

Mr. Williamson nominated Hon. George H. Williams.

Mr. Jones nominated Hon. A. S. Bennett.

Mr. Stanley nominated Hon. R. E. Eakin.

Nominations being closed, the roll was called and the vote was:

Those voting for Mr. Corbett were: Messrs. Bayer, Beach, Briggs, Butt, Donnelly, Farrell, Hawson, Hill, Hobkirk, Lamson, Marsh, Massingill, Maxwell, McCourt, Moody, Morton, Myers, Roberts, Ross, Stewart, Thompson of Washington, Whalley and Mr. Speaker—23.

Those voting for Mr. George were: Messrs. Brattain, Cummings, Davis, Flagg, Hall, Kruse, Lewis, McCulloch, McQueen and Thompson of Clackamas—10.

Those voting for Mr. Williams were: Messrs. Nichols, Topping, Williamson and Young—4.

Those voting for Mr. Bennett were: Messrs. Blackaby, Conn, Fordney, Grace, Gray, Gregg, Jones, Knight, McAlister, Palmer, Platts, Sherwin, Stillman, Stump, Virtue, Whitney, Wilson and Wonacott—18.

Those voting for Mr. Eakin were: Messrs. Reeder, Smith and Stanley—3.

Mr. Curtis voted for D. M. Dunne.

Mr. Freeland voted for Hon. W. R. Ellis.

Mr. Young moved to adjourn until 2 p. m. today.

Mr. Whalley moved to amend, making adjournment to 10 o'clock a. m. tomorrow.

The amendment was lost, the original motion prevailed and the house stood adjourned until 2 o'clock p. m. to-day.

#### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Freeland, McCourt, McCulloch, Stump, Topping and Wilson.

Mr. Whalley introduced house resolution No. 26.

#### HOUSE RESOLUTION NO. 26.

*Resolved*, That the speaker be allowed to appoint one clerk.

On motion of Mr. Moody, the resolution was adopted.

Mr. Curtis, chairman of the special committee to whom was referred senate bill No. 63, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 4, 1898. }

*Mr. Speaker:*

Your special committee consisting of the delegation from Clatsop county, to whom was referred senate bill No. 63, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

C. J. CURTIS,  
Chairman.

On motion, the report was adopted.

Mr. Curtis moved that the rules be suspended and that senate bill No. 63 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Freeland, Jones, Sherwin, Stump and Wilson—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Cummings, Sherwin and Wilson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker:*

Your committee on printing, to whom was referred house bill No. 54, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

C. J. CURTIS,  
Chairman.

On motion, the report was adopted.

Mr. Curtis moved that the rules be suspended and that house bill No. 54 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whitney, Williamson, Wonacott, Young and Mr. Speaker — 56.

Nays — None.

Absent — Messrs. Blackaby, Donnelly, Whalley and Wilson — 4.

Mr. Stillman moved that house bill No. 54 be made a special order for Thursday next at 10:30 o'clock a. m.

The motion prevailed.

Mr. Freeland, chairman of committee on assessment and taxation, submitted the following report: —

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1897. }

*Mr. Speaker:*

Your committee on assessment and taxation, to whom was referred house bill No. 43, beg leave to report that we have had

the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

E. L. FREELAND.

Chairman.

On motion, the report was adopted.

House bill No. 43 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wona-cott, Young and Mr. Speaker — 55.

Nays — None.

Absent — Messrs. Bayer, Moody, Myers, Sherwin and Wilson — 5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Topping introduced house resolution No. 27.

#### HOUSE RESOLUTION NO. 27.

*Resolved*, That senate bill No. 23, which passed the senate September 27 and was read in the house first and second times and referred to the Polk county delegation, be recalled from said committee, read third time now and placed on final passage.

On motion, the resolution was adopted.

Mr. Freeland introduced house resolution No. 13.

#### HOUSE RESOLUTION NO. 13.

*Resolved by the house, the senate concurring*, That a committee of three on the part of the house and two on the part of the senate be appointed to investigate as to the best plan for opening the Columbia river for the passage of river steamers and boats at the rapids in said river at and near Celilo, Oregon, and to report to this legislature at its regular session in January, 1899.

On motion, the resolution was adopted.

Mr. Maxwell moved that the house adjourn until 10 o'clock a. m. tomorrow.

The motion was declared to have been lost.

Mr. Maxwell called for a division and the vote was: Ayes, 32; nays, 19.

So the house adjourned until 10 o'clock a. m. tomorrow.

A. C. JENNINGS,  
Chief clerk.

WEDNESDAY, OCTOBER 5, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 5, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Freeland, McCourt and Moody.

The morning session of the house was opened with prayer by Rev. Mr. Shupp.

Mr. Sherwin was excused from attendance.

On motion of Mr. Young, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Gregg introduced house resolution No. 28.

HOUSE RESOLUTION NO. 28.

*Resolved*, That house resolution No. 27, by which senate bill No. 23 was taken from the hands of the Polk county delegation, be rescinded.

Mr. Gregg moved the adoption of the resolution.

Mr. Reeder moved to lay on the table.

The motion to lay on the table prevailed.

Mr. Flagg introduced house joint resolution No. 7.

HOUSE JOINT RESOLUTION NO. 7.

*Resolved by the house, the senate concurring*, That the secretary of state be and he is hereby authorized to contract for the ceiling of the house of representatives, and the construction on the second floor of said house of suitable committee rooms.

Mr. Flagg moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace,

Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingili, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Butt and Freeland—2.

So the resolution was adopted.

Mr. Stanley introduced house resolution No. 29.

#### HOUSE RESOLUTION NO. 29.

*Resolved*, That the committee on elections be allowed a stenographer.

On motion, the resolution was adopted.

Mr. Marsh introduced house resolution No. 30.

#### HOUSE RESOLUTION NO. 30.

*Resolved*, That the committee on education be allowed one clerk.

On motion, the resolution was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 4, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 32, a bill for an act amending an act incorporating the town of Elgin, in Union county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Senate bill No. 32 coming on for first reading, Mr. McAlister moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister,

McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Freeland and Sherwin—2.

So the rules were suspended and senate bill No. 32 was read first time by title only and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 62, a bill for an act to incorporate the town of Monmouth.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Senate bill No. 62 was read first time.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 49, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

On motion, the report was adopted.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 9, beg leave to report that we have had the same under

consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

On motion, the report was adopted.

Mr. Stewart, chairman of the committee on agriculture, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker:*

Your committee on agriculture, to whom was referred the message of his excellency, the governor, relating to the destruction recently, by fire, of the mechanical hall of the agricultural college, beg leave to report that we have had the same under consideration, and respectfully report it back to the house. Your committee would most respectfully further report that the loss sustained by said fire, which occurred on the twenty-eighth day of September, 1898, was as follows, to wit:—

#### BUILDINGS.

Brick structure, erected in 1891.....	\$14,228 00
Mechanical building, erected in 1894.....	8,820 00
Total cost of buildings.....	\$22,648 00

#### MATERIAL, MACHINERY, ETC.

Woodwork department.....	\$ 1,199 75
Blacksmith department.....	1,109 85
Mechanical department.....	8,409 95
Engine and boiler room and machinery.....	4,755 75
Furniture.....	400 00
Material on hand (iron, lumber, etc.).....	200 00
Improvements.....	475 00
Printing department.....	2,945 96
Physical laboratory.....	519 50
Chemical laboratory.....	92 50
Total loss.....	\$37,650 76

That the insurance thereon amounted to \$16,000; that aside from said insurance there are no other funds now in the hands of the board of regents of said institution which may be used for the construction of buildings or the purchase of machinery and material necessary to replace said loss.

We would further most respectfully report that the attendance at the Oregon agricultural college during the year 1891, the same being the time when the structure above referred to was erected, was 208 students; that the attendance at said institution during

the year 1894, the same being the time when the mechanical building above referred to was erected, was 240 students; that the attendance at said institution for the years following was as follows, respectively: 1895, 240 students; 1896, 397 students; 1897, 336 students, and the enrollment during the first two weeks for the year 1896-97, was 218, and for the first two weeks for the year 1897-98, the attendance was 237; that the attendance at present at said institution is 268; that the students who are in attendance at said institution, and who were required to recite in the shops and classrooms which were situate in the mechanical building destroyed by fire were 240. That in the year 1896 a department in said institution known as the preparatory department was discontinued; that the students enrolled in said preparatory department for the year 1891-92 were 86; that the students enrolled in the preparatory department for the year 1894 numbered 36, and the students enrolled in the preparatory department for the year 1895 numbered 47, and the students enrolled for the year 1896 in the preparatory department numbered 80. That after carefully investigating the condition of this institution and having compared the number of students attending the same as above shown, and after having conferred with the honorable president of the board of regents and the chairman of the executive committee of said board of regents, your committee is of the opinion that it is for the welfare of the state that the buildings and contents which have been destroyed should be replaced, and that in so doing the same should be constructed and erected with a view to the future growth of said institution, and that from the point of economy your committee is of the opinion that the buildings which are to take the place of those destroyed should be constructed of brick or stone or of such other material as will afford the best protection against destruction by fire; and your committee would most respectfully recommend the adoption of the joint resolution hereto attached.

MATTHEW STEWART,

Chairman.

#### HOUSE JOINT RESOLUTION NO. 8.

Whereas, the national government has provided for the support and maintenance of the state agricultural college of Oregon, requiring instruction in the various branches, including those of the mechanical arts, to be taught as one of the courses; and the legislature of the state of Oregon has heretofore by act accepted the trust of caring for the agricultural college and has located the same at Corvallis, Oregon, and provided for a board of regents to manage said institution; and

Whereas, the legislature has heretofore provided for the con-

struction and equipment of a number of buildings, among those a mechanical hall to carry on the teaching and instruction in the various branches as provided by the act of congress; and

Whereas, on the morning of the twenty-eighth of September, 1898, said mechanical building and its contents, in which was situated the electric light plant supplying light for the buildings of the entire college and station grounds, and also the water plant which furnished water for the various buildings and grounds of both college and station, there being located therein the blacksmith shop, the machine shop, the carpenter or woodworking department, the entire power plant, a number of classrooms, a printing office and its fixtures sufficient to enable the managers to print the several bulletins and other matter of the college and station that is required to be published by the provisions of the acts of congress; and

Whereas, at this time there are about 240 students who are in attendance in the college who are required daily to recite in the shops and classrooms situated in the mechanical building thus destroyed by fire; and

Whereas, the destruction of this building has greatly interfered with the proper instruction of the young people now in attendance as students at the college, and greatly interferes and retards the entire work of the college and station in its several branches, to the great detriment of the people of this state, and makes it impossible for those in charge of this institution to advantageously make a proper expenditure of the adequate means provided by the general government in carrying on the work of this institution and complying with the accepted trust heretofore assumed by the state of Oregon; and

Whereas, your committee and senate committee on agriculture and forestry, after making a thorough investigation of the necessities and requirements of this institution, are of the opinion that there should be an adequate appropriation at this time by the legislature to enable the managers of this college, at once, to erect a suitable building to replace the one destroyed by said fire;

*Resolved*, That the sum of twenty-five thousand dollars (\$25,000) be appropriated from the general fund, to be used by the board of regents of the Oregon state agricultural college in the erection and construction of a suitable building on the grounds of said college at Corvallis, Benton county, Oregon, to replace the buildings destroyed by fire on said twenty-eighth day of September, 1898.

Mr. Nichols moved the adoption of the resolution.

Mr. Whalley moved that it be made a special order for 2:30 o'clock p. m. today.

Mr. Stillman moved to refer to the committee on resolutions.

The motion was withdrawn.

Mr. Flagg moved to lay the amendment on the table.

The motion was withdrawn.

Mr. Stillman moved that it be made a special order for 2 o'clock p. m. tomorrow.

The motion prevailed.

Mr. Hawson moved that the resolution and report be printed and placed on the desks of members.

The motion prevailed.

Mr. Briggs, chairman of the committee on labor, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

Your committee on labor, to whom was referred house bill No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

*Provided, however,* That the contract price of such material does not exceed the price of the same materials produced in any other state or country.

ABNER BRIGGS,  
Chairman.

On motion, the report was adopted.

Mr. Young, chairman of the committee on fisheries and game, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

Your committee on fisheries and game, to whom was referred house bill No. 6, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

JOHAN E. YOUNG,  
Chairman.

Mr. Young moved the adoption of the report.

The motion was lost.

Division of the house was called for, and the motion to adopt was carried by a vote of 38 to 11.

Mr. Young, chairman of committee on fisheries and game, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

Your committee on fisheries and game, to whom was referred house bill No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

JOHAN E. YOUNG,  
Chairman.

On motion, the report was adopted.

Mr. Young, chairman of committee on fisheries and game, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

Your committee on fisheries and game, to whom was referred house bill No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 4 of section 3, strike out the words "not more than four elk" and insert the words "such number as said game protector may allow."

AMENDMENT.

In line 2 of section 4, strike out the word "therefor" and insert the word "thereof."

AMENDMENT.

That section 5 of said bill be amended to read as follows: "The justices of the peace shall have concurrent jurisdiction in all prosecutions under this act, and that the present section 5 become section 6.

JOHAN E. YOUNG,  
Chairman.

On motion, the report was adopted.

Mr. Hawson, chairman of special committee to whom was referred house bill No. 53, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker:*

Your special committee, to whom was referred house bill No. 53, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

S. G. HAWSON,  
Chairman.

On motion, the report was adopted.

Mr. Hawson moved that the rules be suspended and that house bill No. 53 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Beach, Davis, Lamson and Sherwin—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Beach, Fordney and Sherwin—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Curtis, chairman of committee on resolutions, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 5, 1898. }

*Mr. Speaker:*

Your committee on resolutions, to whom was referred house concurrent resolution No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it be not adopted for the reason that it appropriates money and should be acted upon by bill.

C. J. CURTIS,  
Chairman.

Mr. Myers moved the adoption of the report.

The motion was lost.

Division of the house was called for, and the motion to adopt was lost by a vote of 30 to 11.

Mr. Gregg, chairman of the special committee to whom was referred senate bill No. 23, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 5, 1898. }

*Mr. Speaker:*

Your special committee, to whom was referred senate bill No. 23, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

A bill for an act to create the office of recorder of conveyances in the county of Polk and to prescribe the duties and salary of the same.

*Be it enacted by the legislative assembly of the state of Oregon:—*

Section 1. That at the next general election and at each general election thereafter there shall be elected in the same manner as the other officers are chosen, a recorder of conveyances in the

county of Polk, who shall hold his office for the term of two years and until his successor is elected and qualified.

Section 2. The duties of such recorder of conveyances shall be the same as those heretofore prescribed by law for such officer in the different counties of this state having the office of recorder of conveyances.

Section 3. The salary for such recorder of conveyances for Polk county shall be eight hundred dollars (\$800) per annum.

N. F. GREGG,  
Chairman.

Mr. Stump moved the adoption of the report.

Mr. Reeder moved to lay on the table.

The motion to adopt was lost.

Messrs. Gregg and Stump demanded the ayes and nays.

Messrs. Moody and Reeder demanded a call of the house.

The roll was called, and all the members were present except Messrs. Freeland, Morton, Myers and Sherwin.

On motion, further proceedings under the call of the house was dispensed with.

The question being on the adoption of the reports, the roll was called and the vote was:

Those voting aye were—

Messrs. Blackaby, Brattain, Conn, Cummings, Flagg, Fordney, Grace, Gray, Gregg, Jones, Knight, Lewis, McAlister, McCulloch, McQueen, Palmer, Platts, Stillman, Stump, Thompson of Washington, Virtue, Whitney, Williamson, Wilson and Wonacott—25.

Nays—Messrs. Bayer, Beach, Briggs, Butt, Curtis, Davis, Donnelly, Farrell, Hall, Hawson, Hill, Hobkirk, Kruse, Lamson, Marsh, Massingill, Maxwell, McCourt, Moody, Morton, Nichols, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Thompson of Clackamas, Topping, Whalley and Mr. Speaker—31.

Absent—Messrs. Freeland, Myers, Sherwin and Young—4.

So the motion to adopt was lost.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house concurrent resolutions Nos. 1, 2, 3, 4, 8 and 9, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 4, 1898. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred house joint resolutions Nos. 1, 2 and 6, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

The speaker announced that he was about to sign house concurrent resolutions Nos. 1, 2 and 3.

The speaker announced that he had signed house concurrent resolutions Nos. 1, 2 and 3.

House bill No. 56. Mr. Hawson. A bill for an act authorizing and directing the counties of the state to fund their indebtedness.

Mr. Hawson moved that the rules be suspended and that house bill No. 56 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Bayer, Beach, Butt, Freeland, Sherwin and Thompson of Washington—6.

So the rules were suspended and house bill No. 56 was read first time by title only and passed to second reading.

Mr. Hawson moved that the rules be further suspended and that house bill No. 56 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch,

McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bayer, Beach, Butt, Freeland and Hill—5.

So the rules were suspended and house bill No. 56 was read second time by title only and referred to the committee on judiciary, with leave to report at any time.

House bill No. 57. Mr. Myers. A bill for an act to regulate the carriage of sheep by express.

House bill No. 57 was read first time and passed to second reading without question.

Mr. Roberts moved that the rules be suspended and that house bill No. 57 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Beach, Farrell, Freeland, Thompson of Washington and Young—5.

So the rules were suspended and house bill No. 57 was read second time by title only and referred to the committee on counties.

House bill No. 58. Mr. Williamson. A bill for an act to facilitate the settlement of the estate of a decedent.

House bill No. 58 was read first time and passed to second reading without question.

Mr. Williamson moved that the rules be suspended and that house bill No. 58 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt,

McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nay—Mr. Fordney—1.

Absent—Messrs. Freeland and Thompson of Washington—2.

So the rules were suspended and house bill No. 58 was read second time by title only and referred to the committee on judiciary, with leave to report at any time.

House bill No. 59. Mr. Ross. A bill for an act to bar inchoate rights of curtesy, dower, etc.

House bill No. 59 was read first time and passed to second reading without question.

Mr. Ross moved that the rules be suspended and that house bill No. 59 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Fordney—1.

So the rules were suspended and house bill No. 59 was read second time by title only and referred to the committee on judiciary.

House bill No. 60. Mr. Whalley. A bill for an act to amend section 2331 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to time of holding court in the fourth judicial district and declaring an emergency.

House bill No. 60 was read first time and passed to second reading without question.

Mr. Whalley moved that the rules be suspended and that house bill No. 60 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight,

Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Freeland and McCourt—2.

So the rules were suspended and house bill No. 60 was read second time by title only and referred to the Multnomah delegation, with leave to report at any time.

The speaker announced that he was about to sign house concurrent resolutions Nos. 9, 8 and 4, and house joint resolutions Nos. 1, 2 and 6.

The speaker announced that he had signed house concurrent resolutions Nos. 9, 8 and 4, and house joint resolutions Nos. 1, 2, and 6.

#### JOINT CONVENTION.

At 12:05 the senate was announced.

President Simon took the chair and called the joint session to order.

The chief clerk of the senate called the roll of the senate and all the senators were present.

The chief clerk of the house called the roll of the house and all the members were present.

The journals of the house and senate of yesterday, pertaining to the matter of the vote on United States senator, were read.

President Simon stated that the object of this joint convention was to vote for the election of a United States senator.

The nominations of yesterday, by consent, stood as the nominations of today.

The balloting for United States senator was proceeded with, with the following result:

Those voting for Mr. Corbett were: Messrs. Bates, Bayer, Beach, Briggs, Butt, Cameron, Daly of Benton, Donnelly, Farrell, Haines, Haseltine, Hawson, Hill, Hobkirk, Howe, Lamson, Mackay, Marsh, Massingill, Maxwell, McCourt, Michell, Moody, Morton, Mulkey, Myers, Patterson, Porter, Roberts, Ross, Selling, Stewart, Thompson of Washington, Whalley, Mr. Speaker and Mr. President—36.

Those voting for Mr. George were: Messrs Adams, Brattain, Cummings, Davis, Driver, Flagg, Hall, Harmon, Kruse, Kuykendall, Lewis, Looney, McCulloch, Reed and Thompson of Clackamas—15.

Those voting for Mr. Bennett were: Messrs. Glenn and McAlister—2.

Those voting for Mr. Waldo were: Messrs. Blackaby, Conn, Daly of Lake, Dufur, Fordney, Grace, Gray, Gregg, Jones, Knight, Morrow, Palmer, Platts, Sherwin, Smith of Baker, Stillman, Stump, Virtue, Wade, Whitney, Wilson and Wonacott—22.

Those voting for Mr. Eakin were: Messrs. Brownell, Freeland, McQueen, Proebstel, Reeder, Smith of Umatilla, Stanley and Taylor—8.

Those voting for Mr. Williams were: Messrs. Curtis, Fulton, Nichols, Williamson and Young—5.

Mr. Kelly voted for Hon. H. H. Hewitt.

Mr. Topping voted for Hon. C. J. Curtis.

The president announced that there had been no election.

On motion of Mr. Selling, the joint assembly dissolved.

On motion of Mr. Myers, the house adjourned to 2 o'clock p. m. today.

A. C. JENNINGS,  
Chief clerk.

#### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 5, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Cummings, Fordney, Freeland and Stewart.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 7, a bill for an act to regulate and fix the compensation of the district attorney of the fourth judicial district and other officers.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

House bill No. 61. Mr. Sherwin. A bill for an act to promote the beet industry in the state of Oregon.

House bill No. 61 was read first time and passed to second reading without question.

Mr. Stanley moved that the rules be suspended and that house bill No. 61 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Fordney and Freeland—2.

So the rules were suspended and house bill No. 61 was read second time by title only and referred to the committee on agriculture.

House bill No. 36 coming on for second reading, Mr. Stillman moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Farrell, Freeland and Ross—3.

So the rules were suspended and house bill No. 36 was read second time by title only and referred to the committee on counties.

House bill No. 35 coming on for second reading was read second time and referred to the committee on railways and transportation.

House bill No. 34 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 33 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 32 coming on for second reading, Mr. Thomp-

son of Washington moved that the rules be suspended and that house bill No. 32 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Cummings, Fordney, Freeland and Sherwin—4.

So the rules were suspended and house bill No. 32 was read second time by title only.

Mr. Thompson of Washington moved that the rules be suspended and that house bill No. 32 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Cummings, Fordney, Freeland and Sherwin—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Smith, Stanley, Stewart, Stillman, Stump, Thompson of

Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 54.

Nays—None.

Absent—Messrs. Cummings, Fordney, Freeland, Myers, Ross and Sherwin—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 31 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 30 coming on for second reading was read second time.

Mr. Palmer moved that house bill No. 30 be referred to the committee on judiciary.

Mr. Hill moved to amend by referring to the committee on banking and insurance.

The amendment prevailed.

House bill No. 29 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 28 coming on for second reading was read second time and referred to the committee on counties.

House bill No. 26 coming on for second reading was read second time and referred to the Multnomah county delegation.

House bill No. 23 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 25 coming on for second reading was read second time and referred to the committee on counties.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 21, a bill for an act to repeal an act providing for a board of railroad commissioners.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 13, a bill for an act to authorize the

county court of Benton county to establish and maintain a ferry across Willamette river.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898.

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate bill No. 60, a bill for an act to amend section 2 of an act to protect salmon and other food fishes.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Senate bill No. 13 coming on for first reading, Mr. Davis moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. McCourt, Moody and Ross—3.

So the rules were suspended and senate bill No. 13 was read first time by title only.

Mr. Davis moved that the rules be further suspended and that senate bill No. 13 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Morton, Myers, Nichols,

Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. McCourt, Moody and Ross — 3.

So the rules were suspended and senate bill No. 13 was read second time by title only.

Mr. Nichols moved that the rules be further suspended and that senate bill No. 13 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. Freeland, McCourt and Ross — 3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. Freeland, McCourt and Ross — 3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Moody moved that the house adjourn to 10 o'clock a. m. tomorrow.

Mr. Flagg moved to amend by making the hour of adjournment 3:30 o'clock p. m.

Amendment declared to have carried.

A division of the house having been called for, the amendment was defeated by a vote 11 to 29 and the original motion prevailed; the house stood adjourned to tomorrow at 10 o'clock a. m.

A. C. JENNINGS,  
Chief clerk.

## THURSDAY, OCTOBER 6, 1898.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 6, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Moody, Ross and Young.

The morning session of the house was opened with prayer by Rev. Mr. Ketchum.

On motion of Mr. Hawson, the reading of the journal of yesterday's proceedings was dispensed with.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 16, a bill for an act to facilitate the settlement of the estates of decedents.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 28, a bill for an act to repeal sections 5, 7, 8, 9 and 10 of an act to prevent the production of unwholesome foods and medicines.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 11, a bill for an act to incorporate the Divinity school at Eugene.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 43, a bill for an act to amend section 1786 of chapter III of title II of the criminal code of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

The house took up the first reading of senate bills.

Senate bill No. 21 was read first time.

Senate bill No. 60 was read first time.

Senate bill No. 28 was read first time.

Mr. Butt moved that the rules be suspended and that senate bill No. 21 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Moody and Young—2.

So the rules were suspended and senate bill No. 21 was read second time by title only.

Mr. Flagg moved that the rules be further suspended and that senate bill No. 21 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Moody, Ross and Young—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Messrs. Roberts and Morton demanded a call of the house.

The roll was called, and all the members were present except Messrs. Moody, Myers, Ross and Young.

On motion of Mr. Williamson, further proceedings under the call of the house was dispensed with.

Senate bill No. 21 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Moody, Myers, Ross and Young—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 38 was read second time and referred to the Clatsop county delegation.

Mr. Curtis, chairman of the special committee to whom was referred house bill No. 38, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 6, 1898.

*Mr. Speaker :*

Your special committee, consisting of the delegation from Clatsop county, to whom was referred house bill No. 38, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

C. J. CURTIS,  
Chairman.

Mr. Curtis moved that the rules be suspended and that house bill No. 38 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson and Mr. Speaker—54

Nays—Mr. Fordney—1.

Absent—Messrs. Beach, Moody, Ross, Wonacott and Young—5.

So the rules were suspended and house bill No. 38 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Beach, Moody, Ross, Wilson and Young—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 37 coming on for second reading was read second time and referred to the committee on judiciary.

House bill No. 54, which was made a special order for this hour, was taken up.

House bill No. 54 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Free-land, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Beach, Moody, Ross and Young—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 5, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house joint resolution No. 1.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 5, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house joint resolution No. 2.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house joint resolution No. 6.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate joint resolution No. 2 has been correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate joint resolution No. 4 has been correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house concurrent resolution No. 1.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## JOURNAL OF THE HOUSE.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 5, 1898. }

I am directed by the president to inform you that he has signed house concurrent resolution No. 2.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 5, 1898. }

I am directed by the president to inform you that he has signed house concurrent resolution No. 3.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 5, 1898. }

I am directed by the president to inform you that he has signed house concurrent resolution No. 4.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 5, 1898. }

I am directed by the president to inform you that he has signed house concurrent resolution No. 8.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 5, 1898. }

I am directed by the president to inform you that he has signed house concurrent resolution No. 9.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

The speaker announced that he was about to sign senate joint resolutions Nos. 2 and 4.

The speaker announced that he had signed senate joint resolutions Nos. 2 and 4.

The house took up the third reading of house bills.

House bill No. 49 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Brattain, Briggs, Cummings, Curtis, Davis, Freeland, Hawson, Kruse, Maxwell, McCulloch, Moody, Myers, Whalley, Whitney, Williamson, Young and Mr. Speaker—18.

Nays—Messrs. Bayer, Blackaby, Butt, Conn, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, McAlister, McCourt, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Wilson and Wonacott—40.

Absent—Messrs. Ross and Virtue—2.

So the bill failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 6, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 53.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 6, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 43.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

House bill No. 9 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 56.

Nays — None.

Absent — Messrs. Massingill, Myers, Ross and Sherwin — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 6, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed house bill No. 45.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

House bill No. 6 came up for third reading.

Mr. McCulloch moved to re-refer to the committee on fisheries and game, with instruction to omit Marion or other counties from the bill.

Mr. Roberts moved to refer to the committee on judiciary.

The motion on amendment was lost.

The original motion was lost.

Mr. Flagg moved to refer to the committee on judiciary.

The motion was lost.

Mr. Ourtis moved that the bill be referred to the committee on counties.

The motion was lost.

Mr. Farrell was called to the chair by the speaker.

After remarks to the question pending, the speaker resumed the chair.

House bill No. 6 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Briggs, Butt, Curtis, Davis, Donnelly, Farrell, Freeland, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lam-

son, Marsh, Massingill, Maxwell, Moody, Morton, Myers, Nichols, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Young and Mr. Speaker — 36.

Nays — Messrs. Blackaby, Brattain, Conn, Cummings, Flagg, Fordney, Grace, Gray, Gregg, Jones, Lewis, McAlister, McCourt, McCulloch, McQueen, Palmer, Stump, Virtue, Whitney, Williamson, Wilson and Wonacott — 22.

Absent — Messrs. Beach and Ross — 2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 5 was read third time, and on motion of Mr. Roberts was made special order for Monday next at 3 o'clock p. m.

On motion of Mr. Maxwell, the courtesies of the house were extended to Hon. T. B. Handley, and he was invited to a seat within the bar.

Mr. Hall, chairman of the committee on revision and correction of journal, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of journal, beg leave to report that they have examined the journal of October 4 and find it correct so far as the committee have been able to determine.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

Mr. Hall, chairman of the committee on revision of journal, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker:*

Your committee on revision of journal, to whom was referred the journal of October 3, beg leave to report that they have examined the same and find it correct.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

On motion of Mr. Whalley, the house took a recess of fifteen minutes.

The house was called to order at 11:55 o'clock a. m. by the speaker.

#### JOINT CONVENTION.

The joint convention of October 6, 1898, was called to order at 12:04 o'clock p. m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present except Senator Harmon.

The chief clerk of the house called the roll of the house, and all the members were present.

The reading of the journal of the joint convention of yesterday was, on motion, dispensed with.

The president stated that the object of the joint convention was to vote for a United States senator.

Mr. Daly of Lake placed in nomination Hon. John H. Smith of Clatsop county, for United States senator.

No other nominations being made, the joint convention proceeded to ballot, with the following result:—

Those voting for Mr. Corbett were: Messrs. Bates, Bayer, Beach, Briggs, Butt, Cameron, Daly of Benton, Donnelly, Farrell, Haines, Haseltine, Hobson, Hill, Hobkirk, Howe, Lamson, Mackay, Marsh, Massingill, Maxwell, McCourt, Michell, Moody, Morton, Mulkey, Myers, Patterson, Porter, Roberts, Ross, Selling, Stewart, Thompson of Washington, Whalley, Mr. President and Mr. Speaker — 36.

Those voting for Mr. George were: Messrs. Adams, Brattain, Cummings, Curtis, Davis, Driver, Flagg, Hall, Kruse, Kuykendall, Lewis, Looney, McCulloch, McQueen, Reed, Thompson of Clackamas and Topping — 17.

Those voting for Hon. Geo. H. Williams were: Messrs. Fulton, Williamson and Young — 3.

Those voting for Hon. John H. Smith were: Messrs. Blackaby, Clem, Conn, Daly of Lake, Dufur, Fordney, Grace, Gray, Gregg, Jones, Knight, McAlister, Morrow, Palmer, Platts, Sherwin, Smith of Baker, Stillman, Stump, Virtue, Wade, Whitney, Wonacott and Wilson — 24.

Those voting for Mr. Eakin were: Messrs. Freeland, Proebstel, Reeder, Smith of Umatilla, Stanley and Taylor — 6.

Mr. Brownell voted for Hon. C. W. Fulton.

Mr. Nichols voted for Hon. C. B. Moores.

Mr. Kelly voted for Hon. H. H. Hewitt.

Absent — Mr. Harmon.

The president declared that there had been no election.

On motion of Mr. Reed, the joint convention adjourned.

On motion of Mr. Hill, the house stood adjourned until 2 o'clock p. m.

A. C. JENNINGS,  
Chief clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Fordney, Hawson, Kruse, Lewis, Marsh, McCourt, Platts, Reeder, Thompson of Clackamas, Virtue and Young.

House joint resolution No. 8, which was made a special order for this hour, was taken up.

Mr. Nichols moved the adoption of the resolution.

Mr. Wilson moved to amend by striking out "\$25,000" and inserting "\$20,000" in its stead.

The amendment was declared lost.

A division was called for, but before division was made Messrs. Wilson and Whalley called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Butt, Conn, Fordney, Grace, Gray, Gregg, Jones, Marsh, McAlister, McCourt, McQueen, Moody, Morton, Palmer, Platts, Smith, Stillman, Stump, Thompson of Washington, Virtue, Whalley, Whitney, Wilson and Wonacott—27.

Nays—Messrs. Bayer, Briggs, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Hall, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Massingill, Maxwell, McCulloch, Myers, Nichols, Reeder, Roberts, Sherwin, Stanley, Stewart, Thompson of Clackamas, Topping, Williamson, Young and Mr. Speaker—32.

Absent—Mr. Ross—1.

So the amendment was lost.

On the adoption of the resolution the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Hall, Hawson, Hill, Hobkirk,

Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Williamson, Young and Mr. Speaker—41.

Nays—Messrs. Beach, Blackaby, Conn, Fordney, Grace, Gray, Gregg, Jones, McAlister, McCourt, Palmer, Platts, Stillman, Stump, Virtue, Whitney, Wilson and Wonacott—18.

Absent—Mr. Ross—1.

So the resolution was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 4, a bill for an act to amend section 2334 of chapter X of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate concurrent resolution No. 1 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate concurrent resolution No. 2 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate concurrent resolution No. 6 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate concurrent resolution No. 8 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 5, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate bill No. 63 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

The speaker announced that he was about to sign senate bill No. 63 and senate concurrent resolutions Nos. 1, 2, 6 and 8.

The speaker announced that he had signed senate bill No. 63 and senate concurrent resolutions Nos. 1, 2, 6 and 8.

Senate bill No. 11 was read first time.

Senate bill No. 43 was read first time.

Senate bill No. 11 coming on for second reading, Mr. Freeland moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton,

Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Myers and Ross—2.

So the rules were suspended and senate bill No. 11 was read second time by title only and referred to the committee on education, with leave to report at any time.

Senate bill No. 16 coming on for first reading, Mr. Flagg moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Fordney, Myers and Ross—3.

So the rules were suspended and senate bill No. 16 was read first time by title only.

Senate bill No. 43 coming on for second reading, Mr. Roberts moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Beach, Myers and Ross—3.

So the rules were suspended and senate bill No. 43 was read second time by title only.

Mr. Roberts moved that the rules be further suspended and

that senate bill No. 43 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Myers and Ross—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Beach, Flagg and Ross—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 4 was read first time.

On motion of Mr. Moody, senate bill No. 60 was returned to the senate.

Senate bill No. 62 coming on for second reading, Mr. Stillman moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell,

McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Beach, Myers and Ross—3.

So the rules were suspended and senate bill No. 62 was read second time by title only and referred to the Polk county delegation, with leave to report at any time.

Senate bill No. 32 coming on for second reading, Mr. McAlister moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Myers, Ross and Williamson—3.

So the rules were suspended and senate bill No. 32 was read second time by title only.

Mr. Stanley moved that the rules be further suspended and that senate bill No. 32 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Gregg, Moody, Myers and Ross—4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was: ●

Those voting aye were--

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wona-cott, Young and Mr. Speaker—55.

Nays—None.

Absent—Messrs. McCourt, Myers, Roberts, Ross and Wilson—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Beach, the house took up the first order of business.

Mr. Hill introduced house concurrent resolution No. 14.

#### HOUSE CONCURRENT RESOLUTION NO. 14.

*Be it resolved by the house, the senate concurring,* That the secretary of state be instructed to furnish to the state printer for publication, as required by law, true copies of the records of the proceedings of the legislative assembly as shown by the journals thereof, and the laws, resolutions and memorials passed at this session, and the senate journal of the nineteenth legislative assembly, the compensation for such transcripts to be such as is prescribed by law for like services in other cases, and such copies of the laws to be furnished within sixty days from the date of the adjournment of this assembly. The original copies of said laws, journals, resolutions and memorials shall be safely kept on file in the office of the secretary of state, as required by law.

On motion, the resolution was adopted.

Mr. Curtis introduced house concurrent resolution No. 15.

#### HOUSE CONCURRENT RESOLUTION NO. 15.

*Resolved by the house, the senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to examine into the pilotage and towage system of the state, and to report at the next regular session of the legislature; said committee to serve without any expense to the state.

On motion, the resolution was adopted.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your committee on resolutions, to whom was referred house resolution No. 25, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that inasmuch as the house ordered the calendar and the expense for its publication has already been incurred, and it being a great convenience to the members, and were it abolished it would impose additional duties upon the clerks to constantly keep the members posted upon the status of the bills, we recommend that the resolution be not adopted.

C. J. CURTIS,  
Chairman.

Mr. Beach moved to adopt the report.

Mr. Williamson moved that it be laid on the table.

The motion to table was lost.

Mr. Curtis moved that the matter be referred back to the committee on resolutions, with instructions to ascertain the cost of the house calendar and report to the house tomorrow morning.

The motion prevailed.

Mr. Thompson, chairman of the committee on food and dairy products, requested to be allowed one clerk.

On motion, the request was granted.

Mr. Flagg introduced house joint resolution No. 9.

HOUSE JOINT RESOLUTION NO. 9.

*Resolved by the house, the senate concurring,* That whatever sum may be necessary for the purpose is hereby appropriated out of the general fund of the state to pay to each individual who enlisted in the Oregon national guard upon the call of the president (through the governor), and was afterward rejected for physical disability by the United States military authorities, the sum of \$1.50 per day from the date of enlistment to the date of rejection, inclusive; and the adjutant-general is hereby instructed to prepare a list of such persons, together with the several amounts due, and present the same to the secretary of state at his earliest convenience.

Mr. Flagg moved that house joint resolution No. 9 be adopted.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. Curtis, Myers and Ross — 3.

So the resolution was adopted.

On motion of Mr. Beach, the house took up the fifth order of business.

The speaker announced that he had appointed, as the committee on house concurrent resolution No. 8, Messrs. Moody, Ross and Stanley, and also on senate concurrent resolution No. 6, Messrs. Hall, Young and Palmer.

Mr. Freeland moved to adjourn until 10 a. m. tomorrow.

Mr. Beach moved to amend, that when we do adjourn we adjourn to 4:30 p. m. today.

The amendment was lost, the original motion prevailed and the house stood adjourned until 10 o'clock a. m. tomorrow.

A. C. JENNINGS,  
Chief clerk.

## FRIDAY, OCTOBER 7, 1898.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 7, 1898. }

The house was called to order at 11:45 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Mr. Moody.

The morning session of the house was opened with prayer by Rev. Mr. Hornshaw.

Mr. Hall, chairman of the committee on revision and correction of the journal, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 7, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of the journal beg leave to report that they have examined the journal of October 5, and find the same correct so far as they have been able to verify it.

J. E. HALL,  
 Chairman.

The report was adopted.

House bill No. 7, which was made special order for 10 a. m., was taken up.

Mr. Stillman was called to the chair.

House bill No. 7 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Wona-cott and Young — 48.

Nays — Messrs. Blackaby, Grace, Jones, Kruse, Palmer, Platts, Virtue, Whitney, Williamson and Wilson — 10.

Absent — Messrs. Ross and Mr. Speaker — 2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 October 6, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 66, a bill for an act to regulate and fix the salary of the district attorney of the fourth judicial district.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
 Chief clerk.

Senate bill No. 66 coming on for first reading, Mr. Moody moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott and Young—54.

Nays—Messrs. Grace and Gray—2.

Absent—Messrs. Reeder, Ross, Wilson and Mr. Speaker—4.

So the rules were suspended and senate bill No. 66 was read first time by title only and passed to second reading.

Mr. Moody moved that the rules be further suspended and that senate bill No. 66 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingili, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Young—58.

Nays—None.

Absent—Messrs. Ross and Mr. Speaker—2.

So the rules were suspended and senate bill No. 66 was read second time by title only and referred to the Multnomah county delegation, with leave to report at any time.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 6, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 13 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 21 is reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 46, with the following amendments:—

AMENDMENT.

Amend section 1 by striking out the words "fourth Monday of May," in lines 13 and 14 of said bill, and insert in lieu thereof the words "second Monday of April."

AMENDMENT.

Strike out all of section 2 of said bill.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

On motion of Mr. Maxwell, the amendments were concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 45, a bill for an act to repeal an act entitled an act to provide a state board of equalization.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Mr. Stewart moved that the house take up the second order of business.

The motion prevailed.

Mr. Beach called for a division, which resulted in a vote of 29 to 10 in favor of taking up the second order of business.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 33 beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 34, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 7, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 58, beg leave to report that we have had the same under

consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

## AMENDMENT.

That the title read as follows: "An act to authorize executors and administrators to redeem real estate sold under decree or judgment, and to borrow money upon the property of the estate."

L. B. REEDER,  
Chairman.

On motion, the amendment was adopted.

Mr. Beach moved to take up the fifth order of business.

The motion was lost.

Mr. Curtis moved that Mr. Beach be granted unanimous consent to introduce a bill.

The motion was lost.

Mr. Marsh, chairman of the committee on education, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 6, 1898. }

*Mr. Speaker:*

Your committee on education, to whom was referred house bill No. 15, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do not pass.

G. W. MARSH,  
Chairman.

Mr. Topping moved that house bill No. 15 be made a special order for 10 o'clock a. m. tomorrow.

The motion was lost.

Mr. Reeder moved that when the house adjourn it adjourn to 10 o'clock a. m. tomorrow.

The motion prevailed.

The speaker resumed the chair.

Mr. Freeland, chairman of the committee on assessment and taxation, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 5, 1898. }

*Mr. Speaker:*

Your committee on assessment and taxation, to whom was referred house bill No. 2, beg leave to report that we have had

the same under consideration, and respectfully report it back to the house without recommendation.

E. L. FREELAND.

Chairman.

House bill No. 2 was referred to the committee on judiciary.

Mr. Kruse, chairman of the committee on corporations, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your committee on corporations, to whom was referred house bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

J. L. KRUSE,

Chairman.

Mr. Roberts, chairman of the committee on counties, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your committee on counties, to whom was referred house bill No. 57, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

A. S. ROBERTS,

Chairman.

Mr. Stewart, chairman of the committee on agriculture, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your committee on agriculture, to whom was referred house bill No. 61, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

MATTHEW STEWART,

Chairman.

Mr. Hall, chairman of the committee on medicine and pharmacy, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 5, 1898. }

*Mr. Speaker:*  
Your committee on medicine and pharmacy, to whom was referred house bill No. 16, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do not pass.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 6, 1898. }

*Mr. Speaker:*  
Your committee on engrossed bills, to whom was referred house bill No. 12, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

## JOINT CONVENTION.

The joint convention was called to order at 12:05 o'clock p. m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present except Senator Harmon.

The chief clerk of the house called the roll of the house, and all the members were present.

On motion of Mr. Selling, the reading of the journals was dispensed with.

The president announced that the meeting of the two houses in joint convention was for the purpose of voting for a United States senator and ordered the roll called for said purpose, with the following result:—

Those voting for Mr. Corbett were: Messrs. Bates, Bayer, Beach, Briggs, Butt, Cameron, Daly of Benton, Donnelly, Farrell, Haines, Haseltine, Hawson, Hill, Hobkirk, Howe, Lamson, Mackay, Marsh, Massingill, Maxwell, McCourt, Michell, Moody,

Morton, Mulkey, Myers, Patterson, Porter, Roberts, Ross, Selling, Stewart, Thompson of Washington, Whalley, Mr. Speaker and Mr. President—36.

Those voting for Mr. George were: Messrs. Adams, Brattain, Davis, Driver, Kruse, Kuykendall, Looney, Reed, Thompson of Clackamas and Topping—10.

Those voting for Mr. Williams were: Messrs. Fulton, Hall, Williamson and Young—4.

Those voting for Mr. R. A. Miller were: Messrs. Blackaby, Clem, Conn, Daly of Lake, Dufur, Fordney, Gray, Gregg, Jones, Knight, McAlister, Morrow, Palmer, Platts, Sherwin, Smith of Baker, Stillman, Stump, Virtue, Wade, Whitney, Wilson and Wonacott—23.

Those voting for Mr. Eakin were: Messrs. Freeland, Proebstel, Reeder, Smith of Umatilla, Stanley and Taylor—6.

Mr. Brownell voted for Hon. Binger Hermann.

Mr. Curtis voted for Hon. George C. Brownell.

Mr. Grace voted for Mr. Bennett.

Mr. McQueen voted for A. C. Woodcock.

Those voting for Claud Gatch were: Messrs. Cummings, Flagg, Lewis, McCulloch and Nichols—5.

Absent—Mr. Harmon.

Mr. Flagg moved that we proceed to take a second ballot.

The motion was lost.

On motion of Mr. Taylor, the joint assembly adjourned.

On motion of Mr. Flagg, the house adjourned.

A. C. JENNINGS,  
Chief clerk.

## SATURDAY, OCTOBER 8, 1898.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 8, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Hawson, McCourt and Moody.

The session was opened with prayer by Rev. Mr. Parsons.

On motion of Mr. Young, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Nichols moved that the house take up the fifth order of business.

The chair being in doubt, a division was ordered and the vote was: Ayes, 32; nays, 3.

The motion prevailed.

House bill No. 63. Mr. Beach (by request). A bill for an act to authorize and empower the county court of Multnomah county to establish a free ferry at Sellwood.

House bill No. 63 was read first time and passed to second reading without question.

Mr. Beach moved that the rules be suspended and that house bill No. 63 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Wilson, Wonacott and Young—55.

Nays—Messrs. Flagg, Williamson and Mr. Speaker—3.

Absent—Messrs. Hawson and McCourt—2.

So the rules were suspended and house bill No. 63 was read second time by title only.

Mr. Beach moved that the rules be further suspended and that house bill No. 63 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Freeland, Hawson and McCourt—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Freeland, Hawson, Moody and Sherwin—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 7, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 49, a bill for an act authorizing school districts to incur indebtedness for building school buildings, etc.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 7, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate joint resolution No. 5, authorizing the secretary of state to turn over to grand commander of Indian war veterans 1,000 copies of the book entitled "The Early Indian Wars of Oregon."

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## SENATE JOINT RESOLUTION NO. 5.

Whereas, the pioneer and the Indian war veterans of Oregon are rapidly passing away; and

Whereas, the larger portion of the early history of the settlement and Indian wars of this state is unwritten and is treasured in the mind and memory of these early pioneers, where it will perish unless by some means they can be induced to reduce the same to writing, therefore, be it

*Resolved by the senate, the house concurring,* That the secretary of state be and is hereby authorized and empowered to turn over to the grand commander of the Indian war veterans of the north Pacific coast so many copies as may be necessary, not to exceed ten hundred (1000) copies of the book entitled "The Early Indian Wars of Oregon," published by the state, as authorized by house concurrent resolution No. 22, senate journal, 1891, page 641, to be used and given away by said grand commander to pioneers and veterans of the Indian wars who have had the largest experience in the early history of Oregon, and who pledged beforehand to him to write out and correct all errors, and supply omissions, etc., may find in said history, and give the fullest history of all facts, incidents and experience within their own knowledge, and send same to him that it may be preserved from oblivion, and that material may thus be gathered while these men live, who made history, that justice may be done to the pioneers and veterans, that the whole state of Oregon will in years after be proud of.

On motion, the resolution was made a special order for Wednesday, October 12, at 3:30 o'clock p. m.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 7, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 68, a bill for an act to define the qualifications of voters at all school meetings and school elections.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Mr. Flagg, chairman of the committee to whom was referred house bill No. 13, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 7, 1898. }

*Mr. Speaker :*

Your committee, consisting of the Marion county delegation, to whom was referred house bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Sections 3, 4, 5 and 7 be amended to read as follows: Section 3. The salary of the county clerk of Marion county shall be \$1,250 per annum, and he shall be allowed \$1,800 deputy hire per annum. Section 4. The salary of the recorder of Marion county shall be \$1,000 per annum, and he shall be allowed \$600 deputy hire per annum. Section 5. The salary of the treasurer of Marion county shall be \$800 per annum. Section 7. The salary of the assessor of Marion county shall be \$1,200 per annum, and he shall be allowed \$2,500 deputy hire per annum.

## AMENDMENT.

Section 8. That the per diem of the county commissioners of Marion county be fixed at \$2.50.

## AMENDMENT.

That sections 8 and 9 be numbered 9 and 10.

E. H. FLAGG,  
 Chairman.

Mr. Flagg moved the adoption of the amendments.

Mr. Cummings moved to amend by referring to the committee on salaries of state and county officers.

The amendment was lost.

The amendments were then read and adopted one at a time, and then adopted as a whole.

Mr. Young, chairman of the committee on fisheries and game, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 8, 1898. }

*Mr. Speaker :*

Your committee on fisheries and game, to whom was referred house bill No. 1, beg leave to report that we have had the same

under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 3 of section 1, the words "fifteenth day of February and 12 m. the fifteenth day of April" be inserted instead of the words, "first day of January and 12 m. the first day of April."

AMENDMENT.

And to insert immediately after the word "year," in line 11 of the same section, the following: "Or to fish for any salmon with anything but gig or hook and line, commonly called angling, at any time above the mouth of Daniels creek on the south fork of Coos river, or above the mouth of Sabine or Sabine creek on the north fork of Coos river on Coos bay, in Coos county, Oregon."

AMENDMENT.

The following be added to section 4: "*Provided*, that an artificial slough or channel shall not be construed to be in the meaning of this section."

AMENDMENT.

In line 9 of section 7, the words "a reasonable time" be inserted instead of the words "ten days."

AMENDMENT.

In line 3 of section 15, the words "one year prior thereto" be stricken out.

AMENDMENT.

In lines 7 and 8 of section 16, the words "one year prior to the making of such application" be stricken out.

AMENDMENT.

In line 12 of section 16, the words "as hereinafter provided for" be inserted immediately after the word "district."

AMENDMENT.

In line 2 of section 19, beginning with the word "but" and striking out the remainder of the sentence.

AMENDMENT.

In lines 13 and 14 of section 19, the words "a new license fee" be inserted instead of the words "the balance of the license fee."

JOHAN E. YOUNG,  
Chairman.

On motion of Mr. Bayer, the amendments were ordered printed and submitted to the house.

The speaker announced that he was about to sign senate bill No. 13.

The speaker announced that he had signed senate bill No. 13.

The speaker announced that he was about to sign senate bill No. 21.

The speaker announced that he had signed senate bill No. 21.

House bill No. 64. Mr. Maxwell. A bill for an act to regulate fees to be charged and collected by the clerk of Tillamook county, Oregon.

House bill No. 64 was read first time and passed to second reading without question.

Mr. Maxwell moved that the rules be suspended and that house bill No. 64 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Freeland and Sherwin—2.

So the rules were suspended and house bill No. 64 was read second time by title only.

Mr. Maxwell moved that the rules be further suspended and that house bill No. 64 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Freeland and Hawson—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Freeland and Hawson—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 62. Mr. Wonacott. A bill for an act to amend section 23 of an act for the protection of fish in the state of Oregon.

House bill No. 62 was read first time and passed to second reading without question.

Mr. Wonacott moved that the rules be suspended and that house bill No. 62 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Freeland, Lewis, McCourt and Topping—4.

So the rules were suspended and house bill No. 62 was read second time by title only and referred to the committee on fisheries and game, with leave to report at any time.

House bill No. 65. Mr. Massingill. A bill for an act to prevent taxes from expiring by limitation.

House bill No. 65 was read first time and passed to second reading without question.

Mr. Moody moved that when the house adjourn it adjourn to 2 o'clock p. m. Monday.

The motion prevailed.

Mr. Hill moved that when the fifth order of business was exhausted the house take up the first order.

The motion prevailed.

House bill No. 66. Mr. Bayer. A bill for an act to amend section 914 (887) of the laws of Oregon, as compiled and annotated by Wm. Lair Hill.

House bill No. 66 was read first time and passed to second reading without question.

Mr. Hall, chairman of the committee on revision and correction of the journal, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 8, 1898.

*Mr. Speaker:*

Your committee on revision and correction of the journal beg leave to report that we have examined the journal of October 6 and find the same correct so far as we could verify it.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 8, 1898.

*Mr. Speaker:*

Your committee on engrossed bills, to whom was referred house bill No. 46, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 7, 1898.

*Mr. Speaker:*

Your committee on engrossed bills, to whom was referred

house bill No. 3, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

House bill No. 67. Mr. Fordney. A bill for an act to change and fix the boundaries between Wallowa and Union counties.

House bill No. 67 was read first time and passed to second reading without question.

Mr. Fordney moved that the rules be suspended and that house bill No. 67 be read second time now and by title only.

Mr. Ross raised the point of order that inasmuch as the house had decided to return to the first order of business as soon as the fifth order had been exhausted, the house could not suspend for second reading.

The chair sustained the point of order.

Mr. Myers was granted leave of absence to 10 o'clock a. m. Wednesday upon adjournment.

House bill No. 68. Mr. Jones. A bill for an act to amend the charter of Sodaville, Linn county, Oregon.

House bill No. 68 was read first time and passed to second reading without question.

House bill No. 69. Mr. Gray. A bill for an act requiring towns and cities to submit proposed charters or amendments to charters to the electors of their respective towns or cities before submission to the legislature.

House bill No. 69 was read first time and passed to second reading without question.

House bill No. 70. Mr. Whalley. A bill for an act to amend section 11 of an act to regulate the incorporation and business of building and loan associations doing a general business, passed at the eighteenth regular session of the legislative assembly of Oregon.

House bill No. 70 was read first time and passed to second reading without question.

Mr. Brattain moved that the courtesies of the house be extended to Hon. J. H. McClung, and he was invited to a seat within the bar.

House bill No. 71. Mr. Nichols. A bill for an act to appropriate \$25,000 for the Oregon agricultural college.

House bill No. 71 was read first time and passed to second reading without question.

House bill No. 72. Mr. Blackaby. A bill for an act for the appropriation of water for irrigating purposes, condemning right of way, etc.

House bill No. 72 was read first time and passed to second reading without question.

House bill No. 73. Mr. Flagg (by request.) A bill for an act to promote and increase the efficiency in the care of deaf-mutes and the blind.

Mr. Curtis moved that the rules be suspended and that house bill No. 73 be read first time and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 58.

Nays — None.

Absent — Messrs. Freeland and Myers — 2.

So the rules were suspended and house bill No. 73 was read first time by title only and passed to second reading.

House bill No. 74. Mr. Young. A bill for an act to amend sections 2715 and 2717 of the general laws of Oregon, as compiled by W. Lair Hill, and declaring an emergency.

House bill No. 74 was read first time and passed to second reading without question.

House bill No. 75. Mr. Ross. A bill for an act to amend sections 3011, 3012 and 3014 of Hill's code.

House bill No. 75 was read first time and passed to second reading without question.

House bill No. 76. Mr. Ross. A bill for an act to amend section 3002 of the laws of Oregon, as compiled by W. Lair Hill.

House bill No. 76 was read first time and passed to second reading without question.

On the request of the chairman, the committee on elections was allowed one additional clerk.

Mr. Hill, chairman of the special committee to whom was referred house bill No. 60, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 7, 1898. }

*Mr. Speaker:*

Your special committee, to whom was referred senate bill No. 60, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the house with the recommendation that it do pass.

GEORGE H. HILL,  
Chairman.

Mr. Bayer introduced house resolution No. 31.

#### HOUSE RESOLUTION NO. 31.

*Resolved*, That the regular order of business of the house cannot be changed except by unanimous consent of the members present.

On motion, house resolution No. 31 was made a special order for Monday next.

Mr. Stillman called up the matter of printing the house calendar.

Mr. Curtis, chairman of the committee on printing, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 7, 1898. }

*Mr. Speaker:*

Your committee on printing, to whom was referred the cost of the house calendar, beg leave to submit the following report: We visited the office of the state printer and requested him to furnish a statement of the cost of the house calendar up to the present time. The state printer had the work expeted and submitted a report to your committee, which shows that the house calendar, up to the present time, has cost an average of \$26.11 per day. We believe that the cost can be reduced by eliminating from the calendar many things of no practical interest to the members, so that it will cost not to exceed \$17.50 per day. We would recommend that the matter be referred to the committee on printing, with instructions to rearrange the calendar and reduce the matter published therein.

C. J. CURTIS,  
Chairman.

Mr. Roberts moved the adoption of the report.

Mr. Stillman moved to amend by ordering calendar not printed again this session if it is to cost more than \$20 per day.

The amendment carried and the motion as amended prevailed.

Mr. Topping introduced house resolution No. 32.

#### HOUSE RESOLUTION NO. 32.

*Resolved*, That all bills of this session must be introduced by 12 o'clock m. on October 11, 1898.

On motion, the resolution was made a special order for Monday. Mr. Ross, chairman of the committee on banking and insurance, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your committee on banking and insurance, to whom was referred house bill No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment to be added at the end of the sentence in line 11 of page 2:

AMENDMENT.

*Provided,* That the governor shall have the power to recall the appointment and to designate a new agent whenever in his discretion the interests of the state demand a change in the said agency.

J. THORBURN ROSS,  
Chairman.

Mr. Cummings, chairman of the committee on capitol buildings and grounds, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your committee on capitol buildings and grounds, beg leave to report that we have examined the building and find it out of repair in many parts and places. The floor is decayed in several places, particularly in the northeastern part of the representative chamber and in the closets. There is evidently a leak in the eastern side of the building from top to bottom. Many of the ornamentations have fallen from the supporting pillars and columns in the rotunda and hallways. The stairway connecting the second and third floors is weak and insufficiently supported, while the railing of the same has parted in places. The wood-work and walls of much of the interior of the building should receive at least two coats of paint. The outside walls of the building should receive a coat of cement wash and a coat of paint. The window casings, frames and sash should be repaired and painted. Many of the above repairs can possibly be delayed

for a time without serious results; however, we find that the condition of the roof demands prompt attention. Your committee recommends that at least two coats of paint be applied to the roof at the earliest date consistent with the season, and to this end your committee has obtained from the office of the secretary of state figures showing the area of the roof, together with an estimate of the cost of paint and labor, which figures accompany this report. We find the grounds around the building well kept and in good condition. Your committee respectfully suggests the building of a cement walk from the south wall of the building to State street, also along the south border of the grounds from the city park to the street on the east, known as Capitol street. Area of roof and upper dome of the capitol building, 13,000 square yards. Cost of material and labor for applying two coats of metallic paint at 16 cents per square yard, \$2,080.

WM. L. CUMMINGS,  
Chairman.

Mr. Hill, chairman of the special committee to whom was referred house bill No. 50, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your special committee, consisting of the Multnomah delegation, to whom was referred house bill No. 50, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

GEORGE H. HILL,  
Chairman.

Mr. Hill, chairman of the Multnomah county delegation, to whom was referred house bill No. 26, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 6, 1898. }

*Mr. Speaker :*

Your special committee, consisting of the Multnomah delegation, to whom was referred house bill No. 26, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

GEORGE H. HILL,  
Chairman.

Mr. Wonacott, chairman of the Douglas county delegation, to whom was referred house bill No. 380 of 1895, submitted the following report:

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 6, 1898.

*Mr. Speaker:*

Your special committee, consisting of the Douglas county delegation, to whom was referred house bill No. 380 of 1895, introduced and passed both houses in the session of 1895 and vetoed by the governor February 28, 1895, beg leave to report that we have had the same under consideration, and respectfully report it back to the house and recommend that the governor's veto be sustained.

G. W. WONACOTT,  
Chairman.

On motion, the report was adopted.

Mr. Gregg, chairman of the special committee to whom was referred senate bill No. 62, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 6, 1898.

*Mr. Speaker:*

Your special committee, to whom was referred senate bill No. 62, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

N. F. GREGG,  
Chairman.

On motion of Mr. Freeland, the courtesies of the house were extended to Hon. J. N. Brown, and he was invited to a seat within the bar.

On motion of Mr. Roberts, the committee on judiciary was instructed to report on house bill No. 37 not later than Tuesday.

JOINT CONVENTION.

The joint convention was called to order at 12:05 p. m. by President Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present except Senator Kuykendall.

The chief clerk of the house called the roll of the house, and all the members were present.

On motion of Mr. Michell, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. President announced that the object of the joint convention was to vote for United States senator.

Mr. Michell withdrew the name of H. W. Corbett as candidate for United States senator.

Mr. Brownell presented the name of Hon. Joseph Simon as a nominee for United States senator.

Mr. Whitney presented the name of H. R. Kincaid as a candidate for United States senator.

The roll was called and those voting for Hon. Joseph Simon were: Messrs. Adams, Bates, Bayer, Beach, Brattain, Briggs, Brownell, Butt, Cameron, Cummings, Curtis, Daly of Benton, Davis, Donnelly, Driver, Farrell, Flagg, Freeland, Fulton, Haines, Hall, Harmon, Haseltine, Hawson, Hill, Hobkirk, Howe, Kelly, Kruse, Lamson, Lewis, Looney, Mackay, Marsh, Massingill, Maxwell, McCourt, McCulloch, McQueen, Michell, Moody, Morton, Mulkey, Myers, Nichols, Patterson, Porter, Proebstel, Reed, Reeder, Roberts, Ross, Selling, Smith of Umatilla, Stanley, Stewart, Taylor, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Williamson, Young and Mr. Speaker—64.

Those voting for Mr. Kincaid were: Messrs. Blackaby, Clem, Conn, Daly of Lake, Dufur, Fordney, Grace, Gray, Gregg, Jones, Knight, Morrow, Palmer, Platts, Sherwin, Smith of Baker, Stillman, Stump, Virtue, Wade, Whitney, Wilson and Wonacott—23.

Mr. McAlister voted for Mr. Bennett.

Absent—Mr. Kuykendall.

Mr. president voted blank.

The president announced that as Hon. Joseph Simon had received 64 votes, that being a majority of the members of this joint assembly, he was declared elected United States senator from the state of Oregon for the unexpired term of six years, beginning March 4, 1897.

On motion of Mr. Reed, the joint convention dissolved.

On motion of Mr. Reeder, the house adjourned.

A. C. JENNINGS,  
Chief clerk.

MONDAY, OCTOBER 10, 1898.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 10, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Briggs, Conn, Cummings, Hall, Jones, Myers, Platts and Sherwin.

The afternoon session of the house was opened with prayer by Rev. Mr. Evans.

Mr. Curtis called up senate bill No. 60.

Senate bill No. 60 coming on for second reading was read second time.

Mr. Curtis moved that the rules be suspended and that senate bill No. 60 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, Moody, Morton, Nichols, Palmer, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Williamson, Wilson, Wonacott, Young and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Briggs, Conn, Cummings, Hall, Jones, McQueen, Myers, Platts and Whitney—9.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, Moody, Morton, Nichols, Palmer, Reeder, Roberts, Ross, Sherwin, Smith,

Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Williamson, Wilson, Wonaecott, Young and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Briggs, Conn, Cummings, Hall, Jones, McQueen, Myers, Platts and Whitney—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Ross introduced house concurrent resolution No. 16.

#### HOUSE CONCURRENT RESOLUTION NO. 16.

*Resolved by the house, the senate concurring,* That a committee, consisting of two from the house and one from the senate, be appointed to ascertain and report to the legislature the law governing the unfinished business before the special session of the legislature when it shall adjourn, and whether said unfinished business may be continued and concluded in the regular session.

On motion, the resolution was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 8, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has refused to concur in house joint resolution No. 8, relative to the appropriation of \$25,000, to be used by the board of regents of Oregon state agricultural college.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 8, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 7, to submit amendment to constitution to strike out section 1, article XII.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,

Chief clerk.

The resolution was referred to the committee on resolutions.

MONDAY, OCTOBER 10, 1898.

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MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

October 8, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 33.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

October 10, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that senate concurrent resolution No. 5 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

The speaker announced that he was about to sign senate concurrent resolution No. 5.

The speaker announced that he had signed senate concurrent resolution No. 5.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

October 8, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 58, a bill for an act to amend section 5 of an act entitled an act creating the sixth judicial district.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

October 8, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate joint resolution No. 6, proposing an amendment to the constitution of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

The resolution was referred to committee on resolutions.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 10, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 43, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 10, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 46, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 10, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 53, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 10, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 22, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 10, 1898. }

*Mr. Speaker:*

Your committee on engrossed bills, to whom was referred house bill No. 13, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

House bill No. 39 coming on for second reading, Mr. Flagg moved that the rules be suspended and the bill be read second time and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Briggs, Conn, Cummings, Hall, Myers and Sherwin—6.

So the rules were suspended and house bill No. 39 was read second time by title only and referred to the Marion county delegation, with leave to report at any time.

House bill No. 40 coming on for second reading was read second time.

Mr. Curtis moved that the bill be referred to the committee on judiciary.

Mr. Stillman moved to amend by referring to the committee on banking and insurance.

Amendment carried and motion as amended carried.

House bill No. 41 coming on for second reading was read second time.

Mr. Moody moved that the rules be suspended and that house bill No. 41 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Briggs, Conn, Hall, Myers and Sherwin—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Williamson, Wilson, Wonacott, Young and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Briggs, Conn, Flagg, Hall, McCourt, McCulloch, Sherwin, Topping and Whitney—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The speaker announced that he was about to sign house bills Nos. 53, 46, 43 and 22.

The speaker announced that he had signed house bills Nos. 53, 46, 43 and 22.

Mr. Hill, chairman of the Multnomah delegation, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker:*

Your committee, the Multnomah delegation, to whom was referred senate bill No. 66, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Amend section 3 as follows: "Section 3. The district attorney of the fourth judicial district of this state is hereby authorized and empowered to appoint two assistants and no more, who shall be designated as deputy district attorneys, each of whom shall be entitled to receive a salary of \$1,800 per annum, payable as the salary of the district attorney is hereby made payable."

GEORGE H. HILL,  
Chairman.

On motion, the amendment was adopted.

House bill No. 44 coming on for second reading was read second time and referred to the committee on judiciary, with leave to report at any time.

Mr. Moody moved that the rules be suspended and that senate bill No. 66 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Briggs, Conn, Hall, Myers, Sherwin and Young—6.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Briggs, Conn, Hall, McCourt, Myers and Sherwin—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 47 coming on for second reading was read second time and referred to the committee on railways and transportation.

House bill No. 48 coming on for second reading was read second time and referred to the committee on judiciary, with leave to report at any time.

Mr. McCulloch was called the chair.

House bill No. 51 coming on for second reading was read second time and referred to the committee on judiciary, with leave to report at any time.

House bill No. 52 coming on for second reading was read second time and referred to the committee on judiciary, with leave to report at any time.

Mr. Roberts called up house bill No. 5, which had been made a special order for 3 o'clock p. m. today.

Mr. Roberts moved that the bill be re-referred to the committee on fisheries and game, with instructions to amend by inserting "that it shall be unlawful to take sturgeon for a period of two years."

The motion prevailed.

Mr. Beach moved to adjourn to 10 o'clock a. m. tomorrow.

Mr. Young moved to amend, that we adjourn at 4 o'clock.

Mr. Moody moved to amend the amendment, that we adjourn at 4 o'clock to meet at 7:30 this evening.

Mr. Moody's amendment prevailed and Mr. Young's amendment as amended carried.

On motion of Mr. Maxwell, Mr. Kruse was excused on account of the illness of his father.

House bill No. 55 coming on for second reading was read

second time and referred to the committee on judiciary, with leave to report at any time.

The speaker resumed the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate bill No. 31, a bill for an act relating to mining claims.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate bill No. 3, a bill for an act to reduce the legal rate of interest.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed house bill No. 9.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

Mr. Hawson moved that the rules be suspended and that house bill No. 71 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flag, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight,

Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Briggs, Conn, Hall, Moody, Myers, Sherwin, Wilson, Wonacott and Young—9.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott and Mr. Speaker—51.

Nays—None.

Absent—Messrs. Briggs, Conn, Farrell, Hall, Moody, Myers, Stillman, Wilson and Young—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Palmer moved to return to the fifth order of business.

The motion was lost.

House bill No. 1 was read third time.

Mr. Roberts moved that the bill be recommitted to the committee on fisheries and game for amendment.

Mr. Young moved the previous question.

The motion was lost.

Mr. Roberts' motion prevailed.

House bill No. 3 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stump, Thompson of Clackamas,

Thompson of Washington, Topping, Virtue, Whalley, Williamson, Wilson, Wonacott, Young and Mr. Speaker—51.

Nays—Messrs. Gray and Palmer—2.

Absent—Messrs. Briggs, Conn, Hall, Myers, Sherwin, Stillman and Whitney—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 10 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Gray, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Thompson of Washington, Topping, Virtue, Whalley, Williamson, Young and Mr. Speaker—45.

Nays—Messrs. Fordney, Grace, Gregg, Palmer, Stump, Thompson of Clackamas, Whitney and Wilson—8.

Absent—Messrs. Briggs, Conn, Hall, Massingill, Myers, Sherwin and Wonacott—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

A. C. JENNINGS,  
Chief clerk.

#### EVENING SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 10, 1898. }

The house was called to order, as per adjournment, at 7:30 o'clock p. m., by the speaker.

The roll was called, and all the members were present except Messrs. Briggs, Conn, Donnelly, Freeland, Hall, Hawson, Hill, Jones, Knight, Kruse, Lewis, Marsh, McCourt, Morton, Roberts, Sherwin, Thompson of Clackamas, Topping and Wonacott—18.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 22.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 10, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 43.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 10, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 53.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

House bill No. 12 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Butt, Cummings, Curtis, Davis, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hobkirk, Lamson, Masingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Nichols, Palmer, Platts, Reeder, Ross, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Young and Mr. Speaker—40.

Nays—Mr. Fordney—1.

Absent—Messrs. Beach, Brattain, Briggs, Conn, Donnelly, Hall, Hawson, Hill, Jones, Knight, Lewis, Marsh, Morton, Myers, Roberts, Sherwin and Thompson of Washington—17.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 13 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Davis, Farrell, Gray, Hill,

Hobkirk, Lewis, Marsh, McAlister, McCulloch, McQueen, Moody, Nichols, Palmer, Platts, Reeder, Ross, Smith, Stanley, Stump, Thompson of Washington, Whalley, Wilson, Wonacott and Young—27.

Nays—Messrs. Blackaby, Butt, Cummings, Curtis, Flagg, Fordney, Freeland, Grace, Gregg, Knight, Kruse, Lamson, Massingill, Maxwell, McCourt, Stewart, Thompson of Clackamas, Topping, Williamson and Mr. Speaker—20.

Absent—Messrs. Briggs, Conn, Donnelly, Hall, Hawson, Jones, Morton, Myers, Roberts, Sherwin, Stillman, Virtue, and Whitney—13.

So the bill failed to pass.

House bill No. 15 was read third time.

Mr. Whalley moved to indefinitely postpone.

The motion was lost.

On a division being called for the motion was lost by a vote of 19 to 16.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Curtis, Davis, Flagg, Fordney, Freeland, Gray, Gregg, Hobkirk, Kruse, Lamson, Massingill, McQueen, Moody, Nichols, Palmer, Platts, Reeder, Ross, Smith, Stanley, Stillman, Thompson of Clackamas, Topping, Williamson and Young—26.

Nays—Messrs. Bayer, Blackaby, Brattain, Butt, Cummings, Grace, Hawson, Hill, Knight, Lewis, Marsh, Maxwell, McAlister, Stewart, Stump, Thompson of Washington, Whalley, Wilson, Wonacott and Mr. Speaker—20.

Absent—Messrs. Briggs, Conn, Donnelly, Farrell, Hall, Jones, McCourt, McCulloch, Morton, Myers, Roberts, Sherwin, Virtue and Whitney—14.

So the bill failed to pass.

The speaker announced that Mr. Donnelly had been excused on account of illness.

House bill No. 16 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Curtis, Fordney, Knight, Kruse, Stump, Thompson of Clackamas and Young—7.

Nays—Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Still-

man, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—40.

Absent—Messrs. Briggs, Conn, Davis, Donnelly, Flagg, Gregg, Hall, Jones, Morton, Myers, Roberts, Sherwin and Virtue—13.

So the bill failed to pass.

House bill No. 21 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Farrell, Flagg, Gray, Hill, Hobkirk, Massingill, Maxwell, McCourt, Moody, Stanley, Stewart, Stump, Whalley, Young and Mr. Speaker—18.

Nays—Messrs. Blackaby, Butt, Cummings, Curtis, Fordney, Freeland, Grace, Hawson, Knight, Kruse, Lamson, Lewis, Marsh, McAlister, McCulloch, McQueen, Nichols, Palmer, Platts, Reeder, Ross, Smith, Stillman, Thompson of Washington, Topping, Whitney, Wilson, Wonacott and Williamson—39.

Absent—Messrs. Briggs, Conn, Davis, Donnelly, Gregg, Hall, Jones, Morton, Myers, Roberts, Sherwin, Virtue and Thompson of Clackamas—13.

So the bill failed to pass.

House bill No. 26 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Farrell, Flagg, Fordney, Freeland, Gray, Gregg, Hawson, Hill, Hobkirk, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Smith, Stanley, Stewart, Stillman, Stump, Topping, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—47.

Nays—Messrs. Thompson of Clackamas and Thompson of Washington—2.

Absent—Messrs. Briggs, Conn, Davis, Donnelly, Grace, Hall, Jones, Morton, Myers, Sherwin and Virtue—11.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 33 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Butt, Flagg, Gray, Hawson, Hill, Hobkirk, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Reeder, Roberts, Ross, Stanley, Stewart, Still-

man, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—25.

Nays—Messrs. Blackaby, Cummings, Curtis, Davis, Farrell, Fordney, Freeland, Grace, Gregg, Knight, Kruse, Lamson, Lewis, Marsh, McCulloch, Nichols, Palmer, Platts, Smith, Stump, Thompson of Clackamas, Thompson of Washington, Topping and Wilson—24.

Absent—Messrs. Briggs, Conn, Donnelly, Hall, Jones, Morton, Myers, Sherwin and Virtue—9.

Not voting—Messrs. Bayer and Beach—2.

So the bill failed to pass.

Mr. Butt moved to adjourn to 10 o'clock a. m. tomorrow.

The motion was declared lost.

A division was called for and the motion was carried by a vote of 26 to 20.

So the house adjourned to 10 o'clock a. m. tomorrow.

A. C. JENNINGS,  
Chief clerk.

## TUESDAY, OCTOBER 11, 1898.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 11, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Kruse, Marsh, McCourt, Moody, Myers, Ross, Stump, Thompson of Clackamas and Young.

The morning session of the house was opened with prayer by Rev. W. C. Kantner.

On motion of Mr. Whalley, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Flagg moved reconsideration of the vote by which house bill No. 14 was defeated.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Conn, Davis, Farrell, Flagg, Gregg, Hill, Hobkirk, Lewis, Massingill, Maxwell, McAlis-

ter, McCulloch, McQueen, Morton, Nichols, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stump, Topping, Whalley, Wilson, Wonacott and Mr. Speaker—31.

Nays—Messrs. Blackaby, Butt, Cummings, Donnelly, Fordney, Freeland, Grace, Gray, Hall, Hawson, Jones, Knight, Lamson, Palmer, Platts, Stewart, Stillman, Thompson of Clackamas, Virtue, Whitney and Williamson—21.

Absent—Messrs. Curtis, Kruse, Marsh, McCourt, Moody, Myers, Thompson of Washington and Young—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate bill No. 34, a bill for an act to amend section 4 of an act to create and aid Eastern Oregon district agricultural associations.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate bill No. 19, a bill for an act to protect hotel keepers and boarding house keepers.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate bill No. 43 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 32 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 60 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 61, a bill to amend sections 56 and 57 of the laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Mr. Young, chairman of the committee on fisheries and game, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 10, 1898. }

*Mr. Speaker:*

Your committee on fisheries and game, to whom was re-referred house bill No. 1, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendments:

AMENDMENT.

That line 15 of section 1, immediately after the word "June," be amended to read as follows: "*Provided, however,* that it shall be

lawful to fish for salmon in Alsea and Yaquina rivers from the twentieth day of August to the twentieth day of November of each year, except that above the mouth of Canal creek, on the Alsea river and its tributaries, and above the mouth of Mill creek, on the Yaquina river and its tributaries, it shall be unlawful to fish for salmon from the first day of July to the thirty-first day of December in each year."

## AMENDMENT.

That line 4 of section 4 be amended by striking out the words "one third" and inserting in place thereof the words "one fifth."

## AMENDMENT.

That line 4 of section 7 be amended by striking out the words "or around."

## AMENDMENT.

That line 9 of section 7 be amended by striking out the word "and" at the end of said line.

## AMENDMENT.

That line 10 of section 7 be amended by striking out the word "around" at the beginning of the line.

## AMENDMENT.

That line 12 of section 22 be amended by striking out the words "a sum not exceeding \$1,750 per year" and inserting the same after the word "duties" at the end of said section.

JOHAN E. YOUNG,  
Chairman.

On motion of Mr. Young, the bill and amendments was made a special order for 3 o'clock p. m. today.

House bill No. 50 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingili, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stumpf, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—Mr. Thompson of Washington—1.

Absent—Messrs. Kruse and Myers—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Ross moved that the vote by which house bill No. 21 was defeated be reconsidered.

The motion prevailed.

The speaker announced that he was about to sign senate bills Nos. 43, 60 and 32.

The speaker announced that he had signed senate bills Nos. 43, 60 and 32.

House bill No. 21 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Farrell, Flagg, Hill, Hobkirk, Maxwell, Moody, Ross, Stanley, Stewart, Stillman, Whalley, Young and Mr. Speaker—17.

Nays—Messrs. Blackaby, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Jones, Knight, Lamson, Lewis, Marsh, Massingill, McAlister, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whitney, Williamson and Wilson—37.

Absent—Messrs. Kruse, Maxwell, McCourt, McCulloch, Myers, Topping and Wonacott—7.

So the bill failed to pass.

Mr. Freeland, chairman of the committee on counties, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on counties, to whom was referred house bill No. 28, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

That the county clerk of Douglas county receive \$1,800. That the first deputy receive \$900. That the second deputy receive \$600.

## AMENDMENT.

That the county clerk of Washington county receive \$1,800.  
That the first deputy receive \$600.

## AMENDMENT.

That the county sheriff of Washington county receive \$1,800.  
That the first deputy receive \$600.

ALBERT S. ROBERTS,  
Chairman.

House bill No. 34 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Donnelly, Kruse, McCourt and Myers—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 57 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blackaby, Kruse, McCulloch and Myers—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate bill No. 52, a bill for an act to authorize the county court of Multnomah county to lease the upper deck of the railway bridge.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

House bill No. 58 was read third time.

On motion of Mr. Williamson, the bill was re-referred to the committee on judiciary.

House bill No. 60 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wona-cott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Freeland, Myers and Wilson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Stillman was called to the chair.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred house bill No. 9, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 38, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 45, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

House bill No. 61 was read third time.

Mr. Roberts moved that the bill be printed and referred to the committee on commerce.

Mr. Hill moved to amend, and that the committee be authorized and instructed to investigate this proposed beet sugar industry and report at the next regular session of the legislature.

The amendment carried, and the motion as amended prevailed.

On motion of Mr. Grace, the courtesies of the house were extended to Hon. Will R. King and he was invited to a seat within the bar.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 57, a bill for an act to declare and establish a rule of pleading.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

The committee on judiciary asked for and received permission to retire.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 11, 1898. }

I am directed by the president to inform you that the senate has passed senate bill No. 65, a bill for an act to regulate the carriage of sheep by express.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

House bill No. 77. A bill for an act to authorize the county court of Multnomah county to lease the upper deck of the steel bridge at Portland, Oregon.

House bill No. 77 was read first time and passed to second reading without question.

Mr. Whalley moved that the rules be suspended and that house bill No. 77 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Wilson, Wonacott and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. Kruse, McCulloch and Reeder — 3.

So the rules were suspended and house bill No. 77 was read second time by title only.

Mr. Whalley moved that the rules be further suspended and that house bill No. 77 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, Mc-

Alister, McCourt, McQueen, Morton, Myers, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Wilson, Wonacott and Young—54.

Nays—None.

Absent—Messrs. Kruse, McCulloch, Moody, Reeder, Williamson and Mr. Speaker—6.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Morton, Myers, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Wilson, Wonacott and Young—53.

Nays—None.

Absent—Messrs. Kruse, McCulloch, Moody, Reeder, Whitney, Williamson and Mr. Speaker—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Curtis, the house adjourned until 2 o'clock p. m.

A. C. JENNINGS,  
Chief clerk.

#### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Bayer, Freeland, Kruse, McCourt, Morton, Roberts, Thompson of Clackamas, Virtue and Young.

Mr. Hall, chairman of the committee on revision and correction of journal, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of journal, beg leave to report that we have examined the journal of October 7 and find it correct so far as the committee have been able to determine.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

Mr. Hall, chairman of the committee on revision and correction of journal, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of journal, beg leave to report that we have examined the journal of October 8 and find it correct so far as the committee have been able to determine.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

House bill No. 78. A bill relating to state deposits.

House bill No. 78 was read first time and passed to second reading without question.

Mr. Palmer moved that the rules be suspended and that house bill No. 78 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bayer, Kruse, Myers, Young and Thompson of Washington—5.

So the rules were suspended and house bill No. 78 was read second time by title only and referred to the committee on banking and insurance, with leave to report at any time.

House bill No. 79. A bill regulating attachments.

House bill No. 79 was read first time and passed to second reading without question.

The speaker announced that he was about to sign house bills Nos. 45, 9 and 38.

The speaker announced that he had signed house bills Nos. 45, 9 and 38.

House bill No. 80. A bill for an act to repeal the office of attorney-general of Oregon.

House bill No. 80 was read first time and passed to second reading without question.

Mr. Stump moved that the rules be suspended and that house bill No. 80 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Free-land, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker — 57.

Absent — Messrs. Bayer, Kruse and Young — 3.

So the rules were suspended and house bill No. 80 was read second time by title only.

Mr. Stump moved that the rules be further suspended and that house bill No. 80 be considered engrossed, read third time now and placed on final passage.

Mr. Moody moved to amend by referring to the committee on judiciary.

The amendment carried, and the motion as amended prevailed.

House bill No. 81. A bill for an act to amend section 1044 of the laws of Oregon, as compiled by W. Lair Hill.

House bill No. 81 was read first time and passed to second reading without question.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 11, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you, that the senate

has passed senate bill No. 74, a bill for an act providing compensation for members of the Oregon national guard who presented themselves for enlistment and were rejected.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has refused to concur in house joint resolution No. 9.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 71.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 66 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk:

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 72, a bill for an act to amend section 313, of title II of chapter III, Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Senate bill No. 72 was read first time.

Mr. Stillman moved that the house return to the second order of business.

The motion prevailed.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 19, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

By adding section 2 as follows: "Section 2. Inasmuch as there is urgent necessity to save the state the useless expenditure of a large sum of money, an emergency is hereby declared, and this act shall take effect upon its approval by the governor."

L. B. REEDER,  
Chairman.

On motion, the amendment was adopted.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker.*

Your committee on judiciary, to whom was referred house bill No. 44, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

That immediately following the title of the act, the following words be inserted: "Be it enacted by the legislative assembly of the state of Oregon."

L. B. REEDER,  
Chairman.

On motion, the amendment was adopted.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 55, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 51, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Senate bill No. 74 was read first time.

Mr. Flagg moved that the rules be suspended and that senate bill No. 74 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Kruse—1.

So the rules were suspended and senate bill No. 74 was read second time by title only.

Mr. Flagg moved that the rules be further suspended and that senate bill 74 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Wilson—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Wilson—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Stewart moved that senate bill No. 3 be made special order for 11 o'clock a. m. tomorrow.

The motion prevailed.

Senate bill No. 61 was read first time.

Mr. Moody moved that the rules be suspended and that senate bill No. 61 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn,

Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and McCourt—2.

So the rules were suspended and senate bill No. 61 was read second time by title only.

Mr. Moody moved that the rules be further suspended and that senate bill No. 61 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Butt, Kruse and McCourt—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Butt, Kruse, McCourt and Young—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 72 coming on for second reading, Mr. Hill moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Kruse, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—None.

Absent—Messrs. Butt, McCourt and Ross—3.

So the rules were suspended and senate bill No. 72 was read second time by title only.

Mr. Curtis moved that the rules be further suspended and that senate bill No. 72 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56

Nays—Mr. Stillman—1.

Absent—Messrs. Butt, Kruse and Ross—3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers,

Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—Messrs. Stillman and Williamson—2.

Absent—Messrs. Kruse and Ross—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 9.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 38.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 45.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 14.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 53, a bill for an act to amend Falls City charter.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 9, fixing the date of adjournment.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

On motion, the resolution was laid on the table.

## SENATE CONCURRENT RESOLUTION NO. 9.

*Resolved, by the senate, the house concurring,* That the present special session of the legislature of the state of Oregon adjourn without day on Saturday, October 15, 1898, at the hour of 11 o'clock a. m.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }

SALEM, Oregon,

October 11, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 71, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

The speaker announced that he was about to sign senate bill No. 66.

The speaker announced that he had signed senate bill No. 66. House bill No. 1, which was made a special order for 3 p. m., was taken up.

Mr. Stillman moved that the house go into a committee of the whole to consider this bill.

The motion prevailed.

The speaker called Mr. Maxwell to the chair.

The committee of the whole arose and reported to the house.

Mr. Maxwell, chairman of the committee of the whole house, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee of the whole house, to whom was referred house bill No. 1, together with the amendments recommended by the committee on fisheries and game, respectfully report it back to the house with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In line 3 of section 1, the words "fifteenth day of February and 12 m. the fifteenth day of April," be inserted instead of the words "first day of June and 12 m. the first day of April," and to insert immediately after the word "year" in line 11 of the same section, the following: "Or to fish for any salmon with anything but gig or hook and line commonly called angling at any time above the mouth of Daniels creek on the south fork of Coos river, or above the mouth of Sabine or Sabine creek on the north fork of Coos river, on Coos bay, in Coos county, Oregon."

#### AMENDMENT.

That the following shall be added to section 4: "*Provided*, that an artificial slough or channel shall not be construed to be in the meaning of this section.

#### AMENDMENT.

In line 9 of section 7, the words "a reasonable time" be inserted, instead of the words "ten days."

#### AMENDMENT.

In line 3 of section 15, the words "one year prior thereto" be stricken out.

## AMENDMENT.

In lines 7 and 8 of section 16, the words "one year prior to the making of such application" be stricken out; and in line 12 of the same section, the words "as hereinafter provided for" be inserted immediately after the word "district."

## AMENDMENT.

In line 2 of section 19, beginning with the word "but" and striking out the remainder of the sentence; and in lines 13 and 14 of the same section, the words "a new license fee" be inserted instead of the words "the balance of the license fee."

## AMENDMENT.

Strike out the word "fourth" in line 45, printed bill, and insert in lieu thereof the word "first."

## AMENDMENT.

Amend section 1 in line 15, immediately after the word "June," to read as follows: "*Provided, however,* that it shall be lawful to fish for salmon in Alsea and Yaquina rivers from the twentieth day of August to the twentieth day of November of each year, except that above the mouth of Canal creek on the Alsea river and its tributaries, and above the mouth of Mill creek on the Yaquina river and its tributaries, it shall be unlawful to fish for salmon from the first day of July to the thirty-first day of December in each year."

## AMENDMENT.

In line 4 of section 4, strike out the words "one third" and insert the words "one fifth."

## AMENDMENT.

In line 4 of section 7, strike out the words "or around."

## AMENDMENT.

In line 9 of section 7, at the end of said line, strike out the word "and."

## AMENDMENT.

In line 10 of section 7, at the beginning of said line, strike out the word "around."

## AMENDMENT.

In line 12 of section 22, strike out the words "a sum not ex-

ceeding \$1,750 per year" and insert the same after the word "duties" at the end of said section 22.

J. W. MAXWELL,  
Chairman.

The amendments were adopted, and the clerk ordered to place the bill and amendments in the hands of the engrossing committee forthwith to be returned by 8:30 o'clock this evening.

Mr. Young moved that when we do adjourn we adjourn to meet at 7:30 o'clock p. m.

The motion prevailed.

The speaker announced that he was about to sign house bill No. 71.

The speaker announced that he had signed house bill No. 71.

Mr. Whalley moved to take up the sixth order of business.

The motion was lost.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 46.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 38, a bill for an act to provide for placing United States flags on schoolhouses, courthouses, and other public buildings.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Mr. Stillman moved that the sixth order of business be now taken up.

The motion was declared lost.

A division being called for, the motion was carried.

House bill No. 65 coming on for second reading was read second time and referred to the committee on assessment and taxation.

House bill No. 66 coming on for second reading was read second time and referred to the committee on judiciary, with leave to report at any time.

The hour of 4 o'clock p. m. having arrived, the speaker declared the house adjourned.

A. C. JENNINGS,  
Chief clerk.

#### EVENING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

The house was called to order at 7:30 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Beach, Briggs, Fordney, Gregg, Hall, Knight, Kruse, Marsh, McCourt, Morton, Thompson of Washington, Nichols and Wonacott.

Mr. Stillman moved that the rules be suspended and that house bill No. 67 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Young and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Beach, Fordney, Hall, Kruse, McCourt, Morton, Thompson of Washington, Wilson, Wonacott, Marsh and Nichols—11.

So the rules were suspended and house bill No. 67 was read second time by title only.

Mr. Stillman moved that the rules be further suspended and that house bill No. 67 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Gray,

Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Beach, Fordney, Grace, Gregg, Hall, Kruse, Marsh, Nichols, Thompson of Washington and Wilson—10.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Hall, Kruse, Morton, Thompson of Washington, Wilson, Marsh and Nichols—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 70 coming on for second reading was read second time.

Mr. Whalley moved that the rules be suspended and that house bill No. 70 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Fordney, Hall, Kruse, Thompson of Washington, Wilson, Marsh and Nichols—7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Nichols, Thompson of Washington and Wilson—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 47, a bill for an act to incorporate the city of Portland, and providing a charter therefor.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

Senate bill No. 47 coming on for first reading, Mr. Moody moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Nichols, Thompson of Washington and Wilson—7.

So the rules were suspended and senate bill No. 47 was read first time by title only and passed to second reading.

Mr. Moody moved that the rules be further suspended and that senate bill No. 47 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Thompson of Washington, Wilson and Nichols—7.

So the rules were suspended and senate bill No. 47 was read second time by title only and referred to the Multnomah delegation, with leave to report at any time.

House bill No. 68 coming on for second reading was read second time.

Mr. Jones moved that the rules be suspended and that house bill No. 68 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Fordney, Hall, Kruse, Nichols, Thompson of Washington, Wilson and Marsh—7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn,

Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker — 54.

Nays — None.

Absent — Messrs. Fordney, Hall, Kruse, Nichols, Wilson and Marsh — 6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 45 was read first time.

Senate bill No. 45 was read second time.

Mr. Curtis offered the following amendment to senate bill No. 45: Section 2. Inasmuch as there will be a great saving to the state by the immediate passage of this act, an emergency is declared to exist and the act shall be in full force on and after its approval by the governor.

On motion, the amendment was adopted.

Mr. McQueen moved that the rules be suspended and that senate bill No. 45 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker — 53.

Nays — None.

Absent — Messrs. Fordney, Hall, Kruse, Marsh, Maxwell, Nichols and Wilson — 7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Grace, Gray, Gregg, Hawson,

Hill, Hobkirk, Jones, Knight, Lamson, Lewis, McCourt, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Stanley, Stewart, Stump, Thompson of Washington, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—41.

Nays—Messrs. Briggs, Butt, Conn, Freeland, Massingill, Maxwell, McAlister, McCulloch, Smith, Stillman, Thompson of Clackamas and Virtue—12.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Nichols, Topping and Wilson—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 4 coming on for second reading was read second time.

Mr. Roberts moved that the rules be suspended and that senate bill No. 4 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Nichols, Topping and Wilson—7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Beach, Fordney, Hall, Kruse, Marsh, Nichols and Wilson—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 69 was read first time and passed to second reading without question.

Mr. Gray moved that the rules be suspended and that house bill No. 69 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wouacott and Mr. Speaker—53.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Nichols, Wilson and Young—7.

So the rules were suspended and house bill No. 69 was considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Freeland, Grace, Gray, Gregg, Jones, Knight, Kruse, Lamson, Lewis, Massingill, McAlister, McCulloch, McQueen, Morton, Myers, Palmer, Platts, Roberts, Sherwin, Smith, Stewart, Stillman, Stump, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wouacott and Young—41.

Nays—Messrs. Bayer, Flagg, Hawson, Hill, Hobkirk, Maxwell, McCourt, Moody, Reeder, Ross, Stanley, Thompson of Clackamas, Topping and Mr. Speaker—14.

Absent—Messrs. Fordney, Hall, Nichols, Marsh and Wilson—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 11, 1898. }

*Mr. Speaker :*

Your committee on engrossed bills, to whom was referred house bill No. 1, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
 Chairman.

House bill No. 1, which was made a special order for 8:30, was taken up.

Messrs. Young and Moody demanded a call of the house.

The roll was called, and the following members were absent: Messrs. Fordney, Hall, Kruse, Marsh, Nichols and Wilson.

On motion of Mr. Roberts, further proceedings under call of the house were dispensed with.

Mr. Curtis moved that house bill No. 1 be made special order for 10:15 o'clock a. m. tomorrow.

The motion prevailed.

Mr. Hill, chairman of the Multnomah delegation, to whom was referred senate bill No. 47, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 11, 1898. }

*Mr. Speaker :*

Your special committee, the Multnomah delegation, to whom was referred senate bill No. 47, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

GEORGE H. HILL,  
 Chairman.

Mr. Butt moved that we adjourn.

The motion was lost.

Mr. Moody moved that the rules be suspended and that senate bill No. 47 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Rob-

erts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—Mr. Butt—1. .

Absent—Messrs. Fordney, Hall, Kruse, Wilson, Marsh and Nichols—6.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Senate bill No. 47 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—52.

Nays—Messrs. Stillman and Virtue—2.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Nichols and Wilson—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Young, the house adjourned till 10 o'clock a. m. tomorrow.

A. C. JENNINGS,  
Chief clerk.

WEDNESDAY, OCTOBER 12, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Hall, Kruse, Marsh, Nichols, Ross, Thompson of Washington and Wilson.

The session was opened with prayer by Rev. Mr. Shupp.

On motion of Mr. Stillman, the reading of the journal of yesterday's proceedings was dispensed with.

House bill No. 72 coming on for second reading was read second time and referred to the committee on roads and highways.

House bill No. 1, which was made a special order for 10:15 a. m., was taken up.

House bill No. 1 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Williamson, Wonacott, Young and Mr. Speaker—48.

Nays—Messrs. Conn, Gray, Palmer and Whitney—4.

Absent—Messrs. Fordney, Hall, Kruse, Marsh, Moody, Nichols, Ross and Wilson—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 73 coming on for second reading was read second time by title only.

Mr. Flagg moved that the rules be suspended and that house bill No. 73 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hawson, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—52.

Nays—None.

Absent—Messrs. Fordney, Hall, Hill, Kruse, Moody, Nichols, Ross and Wilson—8.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The speaker called Mr. Whalley to the chair.

On motion of Mr. Cummings, the bill was re-referred to the committee on education.

House bill No. 74 coming on for second reading was read second time by title only.

Mr. Young moved that the rules be suspended and that house bill No. 74 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker — 57.

Absent — Messrs. Kruse, Ross and Wilson — 3.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flegg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker — 57.

Absent — Messrs. Kruse, Ross and Wilson — 3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred

house concurrent resolution No. 14, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 12, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred house bill No. 56, beg leave to report that we have had the same under consideration, and respectfully report it back to the house without recommendation.

L. B. REEDER,  
Chairman.

House bill No. 82. Mr. Moody (for Mr. Speaker). A bill for an act to amend an act providing for the establishment of state normal schools.

House bill No. 82 was read first time and passed to second reading without question.

Mr. Moody moved that the rules be suspended and that house bill No. 82 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Wilson—2.

So the rules were suspended and house bill No. 82 was read second time by title only.

Mr. McCulloch moved that the bill be referred to the committee on education.

The motion was lost.

Mr. Moody moved that the rules be further suspended and that house bill No. 82 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Wilson—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Myers, Nichols, Palmer, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Wonacott, Young and Mr. Speaker—52.

Nays—Messrs. Marsh, McCulloch, Morton and Williamson—4.

Absent—Messrs. Kruse, Platts, Thompson of Washington and Wilson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 3, which was made a special order for 11 o'clock a. m., was taken up and read first time.

The speaker resumed the chair.

Senate bill No. 3 coming on for second reading, Mr. Stewart moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, Mc-

Alistair, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Wilson—2.

So the rules were suspended and senate bill No. 3 was read second time by title only.

Mr. Davis moved that the rules be further suspended and that senate bill No. 3 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Farrell, Kruse, Thompson of Washington, Wilson and Young—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Blackaby, Brattain, Butt, Conn, Cummings, Davis, Donnelly, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hawson, Jones, Knight, Lamson, Lewis, Marsh, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Nichols, Reeder, Roberts, Sherwin, Stewart, Stillman, Stump, Topping, Wonacott and Mr. Speaker—37.

Nays—Messrs. Bayer, Briggs, Freeland, Hawson, Hill, Hobkirk, Massingill, Palmer, Platts, Ross, Smith, Stanley, Thompson of Clackamas, Virtue, Whalley, Williamson and Young—17.

Absent—Messrs. Beach, Curtis, Kruse, Myers, Thompson of Washington and Wilson—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 61 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 74 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 72 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate bill No. 12, a bill for an act to amend sections 3894, 3917, 3919 and 3920 of chapter LXVI of Hill's annotated laws of Oregon, in relation to pilotage.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 12, 1898.

I am directed by the president to inform you that he has signed house bill No. 71.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

The speaker announced that he was about to sign house concurrent resolution No. 14 and senate bills Nos. 61, 74 and 72.

The speaker announced that he had signed house concurrent resolution No. 14 and senate bills Nos. 61, 74 and 72.

House bill No. 75 coming on for second reading was read second time and referred to the committee on judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 12, 1898.

I am directed by the president to inform you that the senate has passed house bill No. 13.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

Mr. Flagg introduced house joint resolution No. 10.

HOUSE JOINT RESOLUTION NO. 10.

*Resolved by the house, the senate concurring,* That the secretary of state be and he is hereby authorized to contract for the ceiling of the house of representatives and the construction of committee rooms in the second story of said house.

Mr. Flagg moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Young and Mr. Speaker

Nays—None.

Absent—Messrs. Beach, Butt, Kruse, McAlister, Wilson and Wonacott—6.

So the resolution was adopted.

Mr. Cummings introduced house joint resolution No. 11.

#### HOUSE JOINT RESOLUTION NO. 11.

*Resolved by the house, the senate concurring,* That a joint committee of three members of this legislative assembly, to consist of one on the part of the senate and two on the part of the house, be appointed to visit and inspect the Oregon deaf-mute school and report the condition of the same.

Mr. Cummings moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Davis, Donnelly, Flagg, Freeland, Grace, Hall, Hobkirk, Jones, Knight, Lewis, Maxwell, McCourt, McCulloch, McQueen, Moody, Nichols, Sherwin, Stewart, Topping, Whalley and Mr. Speaker—27.

Nays—Messrs. Briggs, Conn, Curtis, Farrell, Fordney, Gray, Gregg, Hawson, Lamson, Marsh, Massingill, McAlister, Morton, Myers, Palmer, Platts, Reeder, Roberts, Smith, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whitney, Williamson, Wonacott and Young—28.

Absent—Messrs. Hill, Kruse, Ross, Stanley and Wilson—5.

So the resolution was lost.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 12, 1898. }

Mr. Speaker:

I am directed by the president to inform you that the senate has passed house bill No. 68.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

Mr. Curtis introduced house concurrent resolution No. 17.

#### HOUSE CONCURRENT RESOLUTION NO. 17.

*Resolved by the house, the senate concurring,* That the committee on ways and means, of the house and senate, visit all normal schools, colleges and all institutions which have been supported

in part by the state and investigate the conduct and management of the same and report at the next session of the legislature; said committee to serve without compensation or clerical assistance.

On motion, the resolution was adopted.

Mr. Marsh introduced house concurrent resolution No. 18.

#### HOUSE CONCURRENT RESOLUTION NO. 18.

Whereas, the cost of school books, to the patrons of the schools of Oregon, is far too high in comparison with other states; therefore, be it

*Resolved, by the house, the senate concurring,* That a committee of two on the part of the senate and three on the part of the house be appointed to act in the interim before the meeting of the regular session to investigate the question of the cost of school books to the state and present a report to the legislative assembly at such session and make such other suggestions and recommendations as to the committee may seem best. Such committee to act without compensation and without any expense to the state whatever.

On motion, the resolution was adopted.

Mr. Moody introduced house concurrent resolution No. 19.

#### HOUSE CONCURRENT RESOLUTION NO. 19.

*Resolved by the house, the senate concurring,* That the joint rules of the house and the senate be amended by striking out joint rule 11, and the following rules be numbered consecutively.

On motion, the resolution was adopted.

Mr. Topping introduced house joint resolution No. 12.

#### HOUSE JOINT RESOLUTION NO. 12.

Whereas, the pioneer and historical association of Coos and Curry counties has caused to be compiled a history of said county containing a large amount of valuable information regarding the early settlement of that portion of Oregon, and such information should be preserved and perpetuated; therefore, be it

*Resolved by the house, the senate concurring,* That the secretary of state be and hereby is authorized to purchase 100 copies of said history for distribution to the different historical and pioneer associations of Oregon, and others seeking information regarding the early history of the state, the price of said book not to exceed \$3.50 per volume; *provided*, that not less than ten copies be placed on file in the state library.

Mr. Topping moved to adopt.

Mr. Blackaby moved to amend by indefinitely postponing the same.

The amendment prevailed.

Mr. Hill moved that the motion by which house bill No. 61 was referred to the committee on commerce, to report at the regular session of this legislature, be reconsidered, and that such committee be allowed to report at any time.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Curtis, Davis, Farrell, Fordney, Freeland, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Massingill, McAlister, Moody, Myers, Nichols, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Topping, Whalley, Young and Mr. Speaker—30.

Nays—Messrs. Brattain, Briggs, Butt, Conn, Cummings, Donnelly, Flagg, Grace, Grav, Hall, Lewis, Marsh, Maxwell, McCourt, McCulloch, McQueen, Morton, Palmer, Platts, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whitney, Williamson and Wonacott—28.

Absent—Messrs. Kruse and Wilson—2.

So the motion prevailed.

The speaker named as the committee on house resolution No. 5 Messrs. Young, Hill, Massingill, Lamson and Wonacott.

On motion of Mr. Topping, the house adjourned to 2 o'clock p. m. today.

A. C. JENNINGS,  
Chief clerk.

#### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

The house was called to order at 2 o'clock p. m., by the speaker.

The roll was called, and all the members were present except Messrs. Curtis, Davis, Hawson, McCourt, Moody, Nichols, Ross, Stillman, Stump, Thompson of Washington, and Whalley.

The doorkeeper was excused for the afternoon on account of illness.

Mr. Williamson introduced house concurrent resolution No. 20.

#### HOUSE CONCURRENT RESOLUTION NO. 20.

Whereas, as the matter of clerical appointments by the various standing and other committees of the legislature of this

state has grown into an unnecessary burden upon the taxpayers of Oregon; and

Whereas, by adopting other means of clerical assistance a sufficient degree of efficiency may be obtained, and, at the same time, effect a saving of a large amount of money; therefore, be it

*Resolved*, That a committee be appointed, consisting of two of the house and one of the senate, whose duties it shall be to consider various means for remedying this extravagance and report by joint resolution or otherwise at the coming regular session of this body.

On motion, the resolution was adopted.

Senate bill No. 31 was read first time.

Mr. Brattain moved that the rules be suspended and that senate bill No. 31 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—55.

Nays—None.

Absent—Messrs. Kruse, Hawson, Myers, Nichols and Thompson of Washington—5.

So the rules were suspended and senate bill No. 31 was read second time by title only.

Mr. Brattain moved that the rules be further suspended and that house bill No. 31 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Bayer, Kruse, Hawson, McCulloch, Thompson of Washington and Wilson—6.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker — 55.

Absent — Messrs. Hawson, Kruse, McCulloch, Thompson of Washington and Wilson — 5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house concurrent resolution No. 14.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has refused to pass house bill No. 3.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 70.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

Mr. McQueen moved to take up senate bill No. 68.

Mr. Beach moved to amend by taking up senate bill No. 72.

The amendment was lost.

The original motion was lost.

Mr. Curtis gave notice that on tomorrow he would move to change house joint rule No. 11.

House bill No. 76 coming on for second reading was read second time and referred to the committee on judiciary.

Mr. Gray moved that the committee on judiciary be requested to report back house bill No. 29.

The motion prevailed.

House bill No. 51 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Briggs, Curtis, Davis, Farrell, Flagg, Freeland, Hawson, Hill, Hobkirk, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Ross, Sherwin, Smith, Stewart, Stillman, Topping, Whalley, Williamson, Young and Mr. Speaker—35.

Nays—Messrs. Blackaby, Brattain, Butt, Conn, Cummings, Donnelly, Fordney, Grace, Gray, Gregg, Hall, Jones, Knight, Lamson, Palmer, Platts, Stump, Thompson of Clackamas, Virtue, Whitney, Wilson and Wonacott—22.

Absent—Messrs. Kruse, Stanley and Thompson of Washington—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 55 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Kruse, McCourt, Stanley and Thompson of Washington—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 11, 1898. }

*Mr Speaker:*

Your committee on engrossed bills, to whom was referred house bill No. 44, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

Your committee on engrossed bills, to whom was referred house bill No. 19, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

House bill No. 44 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Beach, Fordney, Kruse, McCourt, Stanley and Thompson of Washington—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 19 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—55.

Nays—Mr. Whalley—1.

Absent—Messrs. Kruse, McCourt, Myers, Ross and Thompson of Washington—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Young, chairman of the committee on fisheries and game, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 11, 1898. }

*Mr. Speaker:*

Your committee on fisheries and game, to whom was referred house bill No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

That section 3 in line 4 be amended by inserting the word "tide" immediately before the word "waters."

#### AMENDMENT.

In line 6 of the same section, insert the word "tide" before the word "waters."

#### AMENDMENT.

In line 9 of the same section, insert the word "tide" immediately before the word "waters."

JOHAN E. YOUNG,  
Chairman.

On motion of Mr. Curtis, the amendments were adopted.

Mr. Maxwell moved to reconsider the vote by which house bill No. 15 was defeated.

The motion prevailed.

House bill No. 15 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Conn, Cummings, Curtis, Davis, Donnelly, Fordney, Freeland, Grace, Gregg, Gray, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Young and Mr. Speaker—51.

Nays—Messrs. Butt, Flagg and Wonacott—3.

Absent—Messrs. Farrell, Kruse, McCourt, Ross, Stillman and Thompson of Washington—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate joint resolution No. 5, being a special order for this hour, the same was taken up.

Mr. Curtis moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Absent—Messrs. Farrell, Kruse and Thompson of Washington—3.

So the resolution was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 12, 1898. }

I am directed by the president to inform you that senate bill No. 4 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 45 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

Mr. Beach, chairman of the committee on ways and means, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

*Mr. Speaker:*

Your committee on ways and means, to whom was referred house bill No. 42, beg leave to report that we have had the same under consideration and respectfully report it back to the house without recommendation.

S. C. BEACH,  
Chairman.

The speaker announced that he was about to sign senate bills Nos. 45 and 4.

The speaker announced that he had signed senate bills Nos. 45 and 4.

House bill No. 42 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Butt, Cummings, Davis, Donnelly, Farrell, Freeland, Grace, Hall, Hawson, Hill, Hobkirk, Knight, Lamson, Lewis, Massingill, Maxwell, McAlister, Moody, Morton, Myers, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Whalley, Young and Mr. Speaker—33.

Nays—Messrs. Brattain, Briggs, Conn, Curtis, Flagg, Fordney, Gray, Gregg, Jones, Marsh, McCourt, McCulloch, McQueen,

Nichols, Palmer, Platts, Stillman, Stump, Thompson of Clackamas, Whitney, Williamson, Wilson and Wonacott—23.

Absent—Messrs. Kruse, Thompson of Washington, Topping and Virtue—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Moody moved to adjourn to 7:30 o'clock this evening.

Mr. Stewart moved to adjourn to 10 o'clock a. m. tomorrow.

The amendment was lost.

The original motion prevailed, and the house stood adjourned to 7:30 o'clock this evening.

A. C. JENNINGS,  
Chief clerk.

#### EVENING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

The house was called to order at 7:30 o'clock p. m. by the speaker, pursuant to adjournment

The roll was called, and all the members were present except Messrs. Conn, Farrell, Fordney, Hall, Kruse, McCourt, Morton, Platts and Thompson of Washington.

House bill No. 5 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Farrell, Hall, Hawson, Kruse, McCourt, Myers and Thompson of Washington—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Roberts, chairman of the committee on counties, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 11, 1898. }

Mr. Speaker :

Your committee on counties, to whom was referred house bill No. 36, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

A. S. ROBERTS,  
Chairman.

Mr. Hobkirk, chairman of the committee on commerce, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

Mr. Speaker :

Your committee on commerce, to whom was referred house bill No. 61, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

"Section 1. That for the full period of four years from and after the passage of this act, the state of Oregon shall pay as a bounty \$1 per ton for all sugar beets harvested within the state for the purpose of being manufactured into sugar in this state; and there is hereby appropriated out of the general fund in the hands of the treasurer of the state of Oregon not otherwise appropriated, whatever sums of money are necessary to carry out the provisions of this act, not exceeding the sum of \$50,000 in any one year; *provided*, that all such bounty shall be paid directly to the farmers producing such beets or his assigns, as provided in section 2 of this act; *and provided, further*, that such farmers shall receive from the factory buying such beets not less than \$4 per ton over and above the bounty herein provided for, and in case there should be grown and harvested and made into sugar in this state more than 50,000 tons of sugar beets during any one year while this act is in force, then and in that event such bounty shall be divided *pro rata* between the farmers growing such beets.

"Section 2. It shall be the duty of the secretary of state to audit all bills falling due under the provisions of this act when the same shall be presented, which bills shall specifically state

the number of tons of sugar beets harvested and delivered by each farmer, and such bills shall be verified by the farmers respectively delivering such beets and shall also be certified to, under oath, by the superintendent of the beet sugar factory receiving such beets; and such certificates shall show that such beets were actually received at such factory and were manufactured into sugar within the state of Oregon; and it shall be the duty of the secretary of each and every beet sugar factory, doing business in the state of Oregon, to file a report in writing with the secretary of state on the first day of February of each and every year, showing the number of tons of sugar beets manufactured into sugar by such factory during the preceding twelve months and showing severally the farmers who produced such beets, and the number of tons produced by each. It shall also be the duty of each beet sugar factory, doing business in the state of Oregon, to keep the necessary books, showing the number of tons of sugar beets received daily from each and every farmer, which books shall be open at all times to the inspection of the secretary of state or of any committee appointed by the legislature.

"Inasmuch as there is urgent need for the passage of this act, it shall be in force from and after its approval by the governor."

PETER HOBKIRK,  
Chairman.

On motion of Mr. Curtis, the bill and amendments were made special order for October 13 at 10 o'clock a. m.

Mr. Young moved that the rules be suspended and that house bill No. 36 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Young and Mr. Speaker — 53.

Nays — None.

Absent — Messrs. Hall, Kruse, McCourt, Myers, Thompson of Washington, Wonacott and Reeder — 7.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 53.

Nays — None.

Absent — Messrs. Farrell, Hall, Kruse, McCourt, Myers, Reeder and Thompson of Washington — 7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. McQueen, senate bill No. 68 was taken up.

Mr. McQueen moved that the rules be suspended and that senate bill No. 68 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Young and Mr. Speaker — 53.

Nays — None.

Absent — Messrs. Farrell, Hall, Kruse, McCourt, Platts, Thompson of Washington and Wonacott — 7.

So the rules were suspended and senate bill No. 68 was read second time by title only.

Mr. McQueen moved that the rules be further suspended and that senate bill No. 68 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Donnelly, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Young and Mr. Speaker — 53.

Nays—Messrs. Conn and Flagg—2.

Absent—Messrs. Farrell, Kruse, Reeder, Thompson of Washington and Wonacott—5.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Briggs, Butt, Davis, Donnelly, Freeland, Grace, Gray, Hawson, Hill, Hobkirk, Lamson, Lewis, McAlister, McCulloch, McQueen, Moody, Myers, Roberts, Ross, Stewart, Stillman, Thompson of Clackamas, Whalley, Wilson and Mr. Speaker—28.

Nays—Messrs. Brattain, Conn, Cummings, Curtis, Flagg, Fordney, Gregg, Jones, Knight, Marsh, Massingill, Maxwell, Morton, Nichols, Palmer, Platts, Sherwin, Smith, Stanley, Topping, Virtue, Whitney, Williamson and Young—24.

Absent—Messrs. Farrell, Hall, Kruse, McCourt, Reeder, Stump, Thompson of Washington and Wonacott—8.

So the bill failed to pass.

Senate bill No. 57 coming on for first reading, Mr. Moody moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—None.

Absent—Messrs. Beach, Farrell, Hall, Kruse, Reeder, Thompson of Washington and Wilson—7.

So the rules were suspended and senate bill No. 57 was read second time by title only.

Mr. Moody moved that the rules be further suspended and that senate bill No. 57 be considered engrossed, read third time now and placed on final passage.

Mr. Stillman moved to amend by referring to the committee on judiciary.

The motion on amendment was lost.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Curtis, Davis, Flagg, Fordney, Freeland, Grace, Hawson, Hill, Hobkirk, Lamson, Marsh, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Roberts, Ross, Stanley, Topping, Whalley, Williamson, Young and Mr. Speaker—50.

Nays—Messrs. Blackaby, Briggs, Butt, Conn, Cummings, Donnelly, Gray, Gregg, Jones, Knight, Lewis, Massingill, McAlister, Palmer, Platts, Reeder, Sherwin, Smith, Stewart, Stillman, Stump, Thompson of Clackamas, Virtue, Whitney and Wonacott—25.

Absent—Messrs. Farrell, Hall, Kruse, Thompson of Washington and Wilson—5.

So the motion to suspend the rules was lost.

Mr. Stillman moved that the bill be referred to the committee on banking and insurance.

Mr. Moody moved to amend by referring to the committee on judiciary, with leave to report at any time.

Mr. Stillman moved to amend the amendment by striking out "with leave to report at any time."

The amendment to the amendment was lost.

The amendment carried, and the motion as amended prevailed, and the bill was referred to the committee on judiciary, with leave to report at any time.

Mr. Whalley moved that the house take up second order of business.

The motion prevailed.

Mr. Whalley was called to the chair.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 12, 1898. }

*Mr. Speaker :*

Your committee on judiciary, to whom was referred house bill No. 29, beg leave to report that we have had the same under consideration, and respectfully report it back to the house without recommendation.

L. B. REEDER,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 12, 1898. }

*Mr. Speaker :*

Your committee on judiciary, to whom was referred house

bill No. 37, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that the bill attached hereto be substituted for and take the place of said bill No. 37, which substitute is entitled "An act to provide for calling circuit judges to to the assistance of the supreme court; to provide for the performance of the ordinary duties of such circuit judges in their absence; to provide compensation to circuit judges for such extra services, and to provide additional room for the use of the supreme court."

A bill for an act to provide for calling circuit judges to the assistance of the supreme court; to provide for the performance of the ordinary duties of such circuit judges in their absence; to provide compensation to circuit judges for such extra services, and to provide additional room for the use of the supreme court.

*Be it enacted by the legislative assembly of the state of Oregon:*

Section 1. The supreme court of the state of Oregon is hereby authorized and empowered whenever and as often as it may deem it advisable to call to its assistance in the hearing and determination of causes that are now or may hereafter be pending before it, any of the circuit judges of this state, not exceeding three at any one time; and, for that purpose, the supreme court shall make its orders to be served on such circuit judges as hereinafter provided.

Section 2. It shall be, and it is hereby made, the duty of any circuit judge of any judicial district of this state, when notified as hereinafter provided, to attend at the sittings of the supreme court, and, until relieved by an order of that court, to assist in the hearing and determination of cases in that court and in the preparation and rendition of opinions under the direction of the supreme court; *provided*, that no circuit judge who shall have been engaged as counsel in any case, or who has heard any cause in whole or in part in any inferior court, shall be qualified or permitted to perform in the supreme court any duty named in this act in relation to any such cause.

Section 3. The supreme court is further authorized and empowered and it is hereby made its duty to appoint by its orders from time to time from the other circuit judges of this state, judges, who shall perform such circuit duties as may be designated by the supreme court in place of those judges who shall have been called to the assistance of the supreme court, which orders shall be served as hereinafter provided; and it is hereby made the duty of any circuit judge so appointed to attend to and perform the circuit duties so designated.

Section 4. It is hereby made the duty of the clerk of the supreme court, under the direction of that court, to send by mail

to each circuit judge affected by any order made by the supreme court by virtue of the provisions of this act, a certified copy of such order under the seal of the court, and this shall constitute a sufficient service of such order and notification to require such circuit judge to perform the duties imposed upon him under this act.

Section 5. It is hereby made the duty of the secretary of state to provide, in addition to the rooms now occupied by the supreme court, a suitable room properly furnished on the same floor with the state library in the state capitol building for use as a consultation room by the supreme and circuit judges engaged in the business of the supreme court.

Section 6. In addition to the salary now allowed by law to circuit judges, any circuit judge called to the assistance of the supreme court or who may by the order of the supreme court perform circuit duty in place of a judge called to assist the supreme court shall, until relieved by order of the supreme court from the performance of such extra duty, receive a salary at the rate of \$500 per annum, payable quarterly, as the salaries of other circuit judges are paid.

L. B. REEDER,  
Chairman.

Mr. Butt moved to amend the amendment and offered the following substitute for the bill submitted by the judiciary committee:—

An act to provide for the appointment of three commissioners by the supreme court, to be known as commissioners of the supreme court, to relieve said court from the overburdened condition of its calendar, and to provide for the compensation of said commissioners.

*Be it enacted by the legislative assembly of the state of Oregon:*

Section 1. The supreme court of the state of Oregon, immediately upon the taking effect of this act, shall appoint three persons of legal learning and personal worth, as commissioners of said court. It shall be the duty of said commissioners, under such rules and regulations as such court may adopt, to aid and assist said court in the performance of its duties, and in the disposition of the numerous cases now pending in said court and undetermined. The said commissioners shall hold office for the term of four years from and after their appointment, and until their successors shall be appointed and qualified, during which time they shall not enter into the practice of the law. They shall each receive the same salary and compensation as that now received by a supreme judge of this state, payable at the same time and in the same manner. Before entering upon

the discharge of their duties, they shall each take an oath to support the constitution of the United States and the constitution of the state of Oregon, and to faithfully discharge the duties of the office of commissioner of the supreme court to the best of their ability. The said court shall have power to remove any or all members of the said commission at any time by an order entered in the record of said court, and all vacancies in said commission shall be filled in like manner.

Section 2. Inasmuch as there is such a great number of cases now pending in the supreme court as that it is impossible for the judges thereof to keep up with the work of the court, there exists an emergency for the passage of this act, and the same shall be in force from and after its passage.

Mr. Young moved that the bill and all amendments be indefinitely postponed.

The motion prevailed.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
October 12, 1898. }

*To the honorable the speaker of the house:*

I am directed by the governor to inform you that he has approved and signed the following bills: House bills Nos. 9, 43, 46 and 71.

W. S. DUNNIWAY,  
Private secretary.

On motion, the house adjourned to 10 o'clock a. m. tomorrow.

A. C. JENNINGS,  
Chief clerk.

THURSDAY, OCTOBER 13, 1898.

#### MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Conn, McCourt, Kruse and Thompson of Washington.

The morning session of the house was opened with prayer by Rev. Mr. West.

On motion of Mr. Young, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

Your committee on engrossed bills, to whom was referred house bill No. 61, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

Mr McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred house bill No. 13, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred house bill No. 68, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 57.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,

Chief clerk.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,

SALEM, Oregon,

October 12, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 70, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,

Chairman.

House bill No. 61, which was made special order for 10 o'clock a. m. today, was taken up.

Mr. Williamson moved that the bill be indefinitely postponed.

Messrs. Roberts and McCulloch demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Brattain, Briggs, Butt, Conn, Grace, Gray, Gregg, Knight, Marsh, Massingill, McCourt, McCulloch, McQueen, Morton, Palmer, Platts, Ross, Smith, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whitney, Williamson, Wilson and Wonacott—28.

Nays—Beach, Blackaby, Cummings, Curtis, Davis, Donnelly, Farrell, Fordney, Freeland, Hall, Hawson, Hill, Hobkirk, Jones, Lamson, Lewis, Maxwell, McAlister, Moody, Myers, Nichols, Reeder, Roberts, Sherwin, Stanley, Stewart, Whalley, Young and Mr. Speaker—29.

Absent—Messrs. Flagg, Kruse, and Thompson of Washington—3.

So the house refused to indefinitely postpone.

Mr. Bayer moved to re-refer the bill to the committee on commerce.

Mr. Roberts moved to amend by referring to the committee on counties, with leave to report at any time.

On this motion Messrs. Stanley and McAlister demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Brattain, Butt, Conn, Grace, Gray, Gregg, Morton, Palmer, Stump, Whitney, Wilson and Wonacott—12.

Nays—Messrs. Bayer, Beach, Blackaby, Briggs, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Myers, Nichols, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Topping, Virtue, Whalley, Williamson, Young and Mr. Speaker—45.

Absent—Messrs. Kruse, Platts and Thompson of Washington—3.

So the amendment was lost.

The original motion to refer to the committee on commerce was lost.

House bill No. 61 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Cummings, Curtis, Davis, Donnelly, Farrell, Fordney, Freeland, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Maxwell, McAlister, Moody, Myers, Nichols, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Thompson of Clackamas, Virtue, Whalley, Young and Mr. Speaker—33.

Nays—Messrs. Bayer, Briggs, Butt, Conn, Flagg, Grace, Gray, Gregg, Marsh, Massingill, McCourt, McCulloch, McQueen, Morton, Palmer, Ross, Stillman, Stump, Thompson of Washington, Topping, Whitney, Williamson, Wilson and Wonacott—24.

Absent—Messrs. Brattain, Kruse and Platts—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house

bill No. 57, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was re-referred house bill No. 58, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

That section 2 be amended to read as follows: "Sec. 2. That it shall be lawful for any executor or administrator, at any time hereafter, with the consent of the county court within whose jurisdiction such property may lie, to borrow money upon any property belonging to the estate and to execute a mortgage thereon as security, for the purpose of funding the indebtedness against the estate, when it is shown by affidavit that the money can be secured for the same or a less rate of interest than that already paid, and for the further purpose of paying the interest on outstanding obligations that are liens on premises to be mortgaged when it is shown by affidavit to be necessary, whether said property has or has not before that time been mortgaged by the decedent or his executor or administrator."

L. B. REEDER,  
Chairman.

The report and amendment were adopted.

The speaker announced that he had just received the sad intelligence that death had removed the wife of our governor-elect, the Hon. T. T. Geer, and it was his painful duty to impart it to the house.

Mr. Curtis introduced house resolution No. 34.

HOUSE RESOLUTION NO. 34.

Whereas, the house of representatives has received the sad news of the death of the wife of Governor-elect T. T. Geer;

*Resolved*, That the house now adjourn until 3 o'clock p. m. today out of respect to the honorable governor-elect of this state;

*Resolved*, That a committee of five be appointed to draft suitable resolutions to the memory of Mrs. T. T. Geer.

On motion, the resolution was adopted.

On motion, the house adjourned.

A. C. JENNINGS,  
Chief clerk.

#### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 13, 1898. }

The house was called to order at 3 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Blackaby, Conn, Cummings, Kruse and Topping.

Mr. Young moved that the house reconsider the vote by which senate bill No. 68 was defeated yesterday.

The motion prevailed and the bill was taken up.

Mr. Flagg asked that house bill No. 39 be taken up, which was agreed to.

On this bill a substitute was offered, which, on motion of Mr. Young, was adopted.

Mr. Flagg, chairman of the Marion county delegation, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

Your committee, the Marion county delegation, to whom was referred house bill No. 39, beg leave to report the following as a substitute:

A bill for an act to incorporate the city of Salem.

*Be it enacted by the legislative assembly of the state of Oregon:*

Section 1. Be it enacted by the legislative assembly of the state of Oregon that the inhabitants of the city of Salem and their successors, within the following limits, are hereby declared a body politic and corporate, by the name and style of the "city of Salem."

Section 2. The limits of said city shall be as follows: Commencing at a point in the middle of Willamette slough, due west from the southwest corner of block 41, of the city of Salem, Oregon, running thence easterly along the original south bound-

ary line of the city of Salem, Oregon, to the northwest corner of Yew park addition to the city of Salem, Oregon; thence southerly along the west boundary line of said Yew park addition to the south line of Cross street in said addition; thence easterly along the south line of Cross street and a continuation of the south line of Cross street to a point due south of the southwest corner of said depot addition to Salem, Oregon; thence north to the northwest corner of said depot addition; thence east along the south line of said depot addition and a continuation of said south line to the east line of the county road leading from Salem, Oregon, to Turner, Oregon; thence southeasterly along the east line of said county road to the west line of Twenty-second street, in J. Meyers' addition to the city of Salem, Oregon; thence northerly along the west line of said Twenty-second street to the north line of said J. Meyers' addition; thence west along the north line of J. Meyers' addition to the west line of Twenty-first street, in Capital park addition to Salem, Oregon; thence northerly along the west line of Twenty-first street to the middle of the channel of Mill creek; thence down the middle of said creek to where the same empties into the Willamette river; thence to the middle of the main channel of said river in a due westerly direction; thence southerly along the middle of the channel of the Willamette river and of the Willamette slough to the place of beginning.

Section 3. The city shall have power and is authorized to purchase, receive and hold property, both real and personal, within its corporate limits, for public buildings, public works and other city improvements, and may lease, sell or otherwise dispose of the same; to purchase, receive and hold property, both real and personal, beyond its limits, for the establishment and maintenance of a hospital for the reception, care and treatment of persons infected with contagious and dangerous diseases; for the erection and operation of water and gas or other illuminating works for the supply of the city and the inhabitants thereof with water and light, and to control and manage said hospital and works, or to lease, sell or dispose of the same for the benefit of the city; or to make contracts; to sue and be sued; to have and use a corporate seal, and the same to change at pleasure.

Section 4. There shall be a general election in the city of Salem on the first Monday of December, annually.

Section 5. The elective officers of the city shall be a mayor, a recorder, who shall be *ex officio* clerk of the council; a marshal, a treasurer, and two aldermen for each ward. The appointed officers shall be a street commissioner and such number of policemen as the council may deem necessary, and a city attorney and surveyor. When the two last named officers are created by

ordinance, as hereinafter authorized, they shall hold their respective offices for a term of one year, unless sooner removed by the council for cause. The elective officers shall be elected for the term of two years by the qualified electors of the city voting in the wards where they reside; *provided*, that one alderman only shall be elected annually in each ward by the qualified voters thereof for said term of two years. The appointed officers shall be chosen by the council at the first regular meeting thereof in January of each year. The council shall be the judge of the election and qualification of its members, and determine contests between persons claiming to be elected thereto, subject, however, to review by any court of competent jurisdiction.

Section 6. The mayor and aldermen shall comprise the common council of said city, and at any meeting shall have exclusive power—

1. To provide for the election and qualifications of officers and to prescribe their duties; for filling vacancies in office and for filling the offices of mayor and recorder during the temporary absence or illness thereof.

2. To fix the time and place of their meetings; but they shall meet at least twice a month.

3. To levy and collect taxes for city purposes, not to exceed one per centum per annum on the property in said city.

4. To establish hospitals and to make regulations to prevent the introduction of contagious diseases into the city; to remove persons afflicted with such diseases therefrom to suitable hospitals provided by the city for that purpose; to secure the protection of persons and property therein, and to provide for the health, cleanliness, ornament, improvement, peace and good order of the city.

5. To prevent and remove nuisances, and to declare by general rules what shall constitute the same, and to punish persons guilty of creating them and to make the expenses of abating a nuisance a lien upon the property where such nuisance exists.

6. To provide for lighting the streets and furnishing the city and the inhabitants thereof with gas or other light and with pure and wholesome water; and for such purposes may construct such water, gas, or other works, within or without the city limits, as may be necessary or convenient therefor; *provided*, that the council may grant and allow the use of the streets and alleys of the city to any person, company or corporation who may desire to establish works for supplying the city and the inhabitants thereof with such water or light, upon such terms and conditions as the council may prescribe.

7. To license, tax and regulate auctioneers, hawkers, peddlers,

sample peddlers, runners, drummers, brokers, laundries, hotels, boarding and lodging houses and pawnbrokers; to license and regulate all such callings, trades and occupations not prohibited by laws of the state, as, in the judgment of the council, the public good may require to be licensed or regulated.

8. To license, tax and regulate hacks, cabs, wagons, carts, trucks, drays, omnibuses or other vehicles used for the transportation of persons or property for hire; to license, tax, and regulate ferries across the Willamette river, landing within the city limits, and to fix the maximum rate for carrying persons or property in such vehicles or ferries.

9. To license, tax and regulate billiard or other tables where balls and cues are used, shooting galleries, bowling alleys, theatrical and other exhibitions, shows and public amusements.

10. To license, tax and regulate and restrain barrooms, saloons, tippling houses and all places where spirituous, vinous or malt liquors are sold; *provided*, that no license shall be issued for a less sum than that provided for under the general laws of the state; to prevent and suppress gaming and gambling houses and all games of chance, including lotteries and pool selling; to prevent and suppress bawdy houses and lewd, lascivious cohabitation, opium smoking and houses and places occupied or kept therefor; *provided, however*, that nothing contained in this subdivision shall be so construed as to oust the state courts of jurisdiction to indict or punish persons for offenses against any law of the state committed within the limits of the city of Salem.

11. To provide for the establishment of market houses and places; to regulate the location and management thereof; to control and regulate slaughter houses, washhouses and laundries and to provide for the exclusion from the city or from any part thereof.

12. To establish and regulate a fire department; to provide for the prevention and extinguishment of fires and for the protection of property endangered thereby; to appoint fire wardens and prescribe their duties, and to compel any person or persons present to aid in the extinguishment of such fires and the protection of property exposed thereto.

13. To establish and regulate a police force and to impose fines, forfeitures and penalties.

14. To provide for the construction, cleaning and repair of sidewalks adjacent to lots by the holders thereof, and for making, cleaning and improving gutters, crosswalks, and to grade, pave, plank or otherwise improve, clean and keep in repair streets, alleys and sidewalks, either at the expense of adjacent property holders or at the general expense of the city or both; and to establish, alter and regulate the grades thereof; *provided*, that if

sidewalks are to be constructed, cleaned or repaired at the expense of the adjacent property holders, the same shall be done in accordance with such regulations as respects notice to the adjacent property owner, mode and method of construction, cleaning or repair as the common council may adopt by ordinance

15. To erect, regulate and repair public wharves, docks and bridges, and to regulate the erection and repair of private wharves.

16. To regulate the storage and sale of gunpowder and other combustible material, and the use of candles, lamps and other lights in shops, stables and other places.

17. To regulate and prescribe the manner of building partition walls and fences, and to prescribe all rules for the construction of fireplaces and chimneys, and setting up stoves or other apparatus liable to cause fire.

18. To prevent domestic animals from running at large within the city or any portion thereof; to provide for impounding and selling such animals and applying the proceeds to the payment of the expense of taking up and keeping them; to prevent or regulate the discharge of cannon or other firearms, bombs and firecrackers in the city or any portion thereof, and to prohibit the carrying of dangerous weapons in a concealed manner.

19. To appropriate money for any item of city expenditures and to provide for the payment of the debts and expenses of the city.

20. To provide for the appointment of a city attorney, street commissioner and to fix their compensation.

21. To change the wards of the city and to make new ones, and to change the number of aldermen as the interests of the city may require.

22. To provide for measuring and weighing hay, wood and other commodities bought and sold in the city.

23. To provide for the removal of standing water and unwholesome and offensive substances; and prevent streams from overflowing their banks, and to prevent the pollution of streams of water running through the city, within the city limits.

24. To prevent, restrain and punish any riot, noise, disturbance or disorderly assemblies in any street, house or place in the city, and to punish and restrain drunkenness and drunken and disorderly conduct within the city, and to prevent and punish the sale of intoxicating liquors to minors, ex-convicts and persons intoxicated or in the habit of getting intoxicated, and to prevent the opening of saloons on Sunday.

25. To provide for the prevention and removal of obstructions in the Willamette river within the limits of the city.

26. To permit, allow, and regulate the laying down of tracks, street car and other railroads, upon such streets as the council may designate, and upon such terms and conditions as the council may prescribe; to allow and regulate the erection and maintenance of poles or poles and wires for telegraph, telephone, electric light or other purposes, upon or over the streets, alleys or public grounds of the city; to permit and regulate the use of the streets, alleys, and public grounds of the city for laying down and repairing gas and water mains, for building and repairing sewers, and the erection of gas or other lights; to preserve the streets, alleys side and crosswalks, bridges and public grounds from injury, and prevent the unlawful use of the same, and to regulate their use; to fix the maximum rate of wharfage, rates for gas or other lights, for carrying passengers on street railways and water rates.

27. To make by laws and ordinances not inconsistent with the laws of the United States or of this state. To carry into effect the provisions of this charter and to provide for the punishment of persons violating city ordinances by fine or imprisonment, or both, and the working of such persons on the streets of the city, or at any other work, but no fine shall exceed the sum of \$100, nor shall any imprisonment exceed twenty days.

28. To define what shall constitute vagrancy and to provide for the support, restraint, punishment, working and employment of vagrants and paupers; to prevent the sale, circulation or disposing of obscene literature, including books, papers, prints, pictures and the like, and to punish any person who sells or offers for sale, or who circulates or disposes of any such literature, and to define and to declare from time to time what, if any, books, papers, prints, pictures and the like are obscene within the purpose and province of this provision.

29. To establish fire limits and to prohibit the erection or repair of wooden buildings within the fire limits, and to restrict and limit the height of buildings within such limits, and to provide for and determine the number and size of the places of entrance and exit from all public halls, churches and other buildings used for public gatherings, and the mode of hanging doors thereat.

30. To provide for the prevention and removal of obstructions from the street, cross and sidewalks, and for the cleaning and repairing thereof, and to regulate the use of sidewalks; to regulate, restrain and prevent the extension of building fronts, house fronts, awnings, porches, signs, hanging signs, displays and other things within the street line or sidewalk limit or line.

31. To regulate the use of streets, roads, highways and public places for foot passengers, animals, vehicles, cars, street railways

and locomotives; to protect the public from injury by runaways by punishing persons who leave horses or carriages in the streets without fastening, and to regulate the rate of speed of horsemen, wagons, carriages, cars, locomotives, vehicles and street railways or railroads within the limits or passing within the limits of said city.

32. To condemn and appropriate land and property for streets, lanes, alleys and public squares, and to provide the manner and means of said condemnation, and to provide for the manner and means of determining the value thereof and fixing the compensation therefor to the owner thereof.

33. To provide for the surveying of blocks and streets of the city and for making the boundary lines of such blocks and streets, and to establish the grades of the streets, sidewalks and crosswalks.

34. To regulate and prevent public criers and advertising notices, steam whistles and ringing of bells, the playing of bands in the streets; and to control and limit traffic on the streets, avenues and places; to regulate the use of the streets and sidewalks for the use of signs, signposts, hitching-posts, awnings, awning-posts, telegraph, telephone and electric light posts and other purposes; to regulate and prohibit the hanging of banners, placards and flags in or across the streets or from houses or other buildings; to prohibit the exhibition of deformed or crippled persons, and to prohibit such and all persons from begging upon the streets or in public houses; to establish from time to time such police stations as may be necessary; to regulate the numbering of houses and lots on the streets and avenues and the naming and numbering of streets and avenues; to provide for the cleaning and sprinkling of the streets; to prohibit persons from roaming about the streets, alleys and other public places at unseasonable hours of the night; to prohibit idle persons or person of no known occupation to roam about the city in the night time after 9 o'clock in the evening.

35. To prevent the erection of buildings within the city limits which shall be dangerous to passers-by or to adjacent property, and in case any building on any public street shall become dangerous to passers-by, the council shall have power to cause the same to be removed or made safe at the expense of the property, and such expense shall be made a lien upon the property.

36. To suppress and prohibit the keeping of places or rooms where either males or females, adults or minors, are permitted to indulge the habit of smoking opium, and to provide by ordinance for summary closing of such places, houses or rooms, and to punish the proprietors thereof.

37. To regulate, restrain and prohibit minors from being on the streets, alleys or public places of the city after certain hours of the night.

38. To prohibit the use of profane or obscene language on the streets or in any public place or assemblage in the city, and to punish any person guilty thereof.

39. To prevent and punish trespass on real and personal property within the city limits.

40. To compel all persons erecting or maintaining privies or cesspools within three hundred and thirty feet of any street in which a sewer has or may hereafter be constructed to connect the same therewith, and to compel persons erecting or maintaining privies or cesspools within any block in which an alley sewer has or hereafter may be constructed to connect the same therewith.

41. To regulate and tax telephone companies; to license, tax and regulate bicycles, tricycles and tandems.

42. To license and tax, impound and sell dogs.

Section 7. The mayor is the executive of the municipal corporation and must exercise a careful supervision over its general affairs and subordinate officers. It is his duty at least once a year to state to the council, by message, the condition, financial and otherwise, of the city, and recommend such measures for the peace, health, improvement and prosperity of the city as he may deem expedient. He shall preside, when present, at the meetings of the council, and call special meetings thereof when necessary. He shall vote with the aldermen at the election of officers when chosen by ballot, but when otherwise chosen, or in the transaction of the business, he shall vote only in the case of a tie; he shall approve undertakings of the city, countersign city orders and perform such other duties as may be required of him by this charter or the ordinance of the city.

Section 8. The recorder shall have jurisdiction over all violations of the city ordinances and may hold to bail, fine or commit persons found guilty thereof, and shall have jurisdiction and powers like a justice of the peace, and the law governing justices of the peace shall apply as far as applicable to all his proceedings; but he shall try all persons accused of violating city ordinances without a jury, unless the defendant on demanding a jury shall deposit in court a sum sufficient to pay the per diem of such jury for one day, and witnesses in his court in such trial shall be entitled to no compensation for their attendance unless the council by ordinance shall otherwise provide. He shall have power as recorder to punish witnesses and others for contempt, by fine not to exceed twenty-five dollars, or in default of payment of such fine, by imprisonment in the city jail one day for every two dollars of such fine; keep a journal of the proceedings of the

council, and perform such other duties as this charter or the ordinances of the city require.

Section 9. In case of illness or temporary absence of the recorder, the mayor may designate any person having the qualifications of a recorder, who shall forthwith take the oath of office and perform the duties of recorder during such temporary absence or inability of the recorder to act. He shall receive the same salary as the recorder, to be deducted from the salary of that officer.

Section 10. The marshal shall be chief of police and shall have control over all policemen when on duty. He shall be a conservator of the peace, and shall arrest all persons guilty of a breach thereof or of a violation of a city ordinance, and take them before the recorder for trial; and shall perform such duties as may be required of him by the common council. He may suspend any policeman for negligence or violation of duty until the case can be examined and determined by the council, and on complaint being made charging him with malfeasance or non-feasance in office, the aldermen, by a unanimous vote, without the concurrence of the mayor, or by a majority vote with the concurrence of the mayor, may remove the marshal from office at any regular meeting, after giving him an opportunity to be heard in his defense, provided they find the charge to be true.

Section 11. The treasurer shall receive and safely keep the funds and moneys of the city and pay out the same as directed by this charter or by ordinance of the city, and when required by ordinance or order of the council he shall make and submit to the council a statement of the financial affairs of the city.

Section 12. The mayor and aldermen shall receive no pay for their services, and the compensation and emoluments of other officers shall be as provided by the council. The mayor, recorder, marshal, treasurer and street commissioner shall give a bond to the city in such sum as the council may by ordinance or otherwise prescribe, conditioned that they will faithfully keep, account for and pay over according to law on the order of the council all moneys or other property that may come into their hands by virtue of their respective offices, and all officers of the city, whether elected or appointed, shall hold their offices until their successors are elected and qualified.

Section 13. That no claim against the city shall be paid until it is first itemized and verified by the affidavit of the claimant, his agent or attorney, and audited and allowed by the council, and then only upon a warrant drawn upon the treasurer by the recorder, countersigned by the mayor.

Section 14. No member of the council shall, during the

period for which he is elected, be interested in any contract, the expenses of which are to be paid out of the city treasury.

Section 15. No person shall be allowed to vote at any municipal election who has not resided in the ward in which he offers to vote thirty days next preceding the election, and who shall have refused or neglected, after proper demand, to pay any city fine or tax, legally assessed against him, and the council may prescribe such oath as it may deem proper to ascertain such fact.

Section 16. When any person shall be convicted of a criminal offense, under any of the ordinances of the said city, and shall be adjudged to pay a fine and cost, and shall fail to pay the same, he may be sentenced to labor one day for every two dollars of such fine and cost upon the streets or other public works of said city, under such officer as the common council may prescribe; and the common council may provide such fetters and manacles as may be necessary to secure the person of such criminal during his term of labor.

Section 17. The council may, in its discretion, provide for the publication of any ordinance or ordinances after they shall have taken effect.

Section 18. No ordinance passed by the council shall go into force or be of any effect until approved by the mayor, except as provided in sections 19, 20 and 21.

Section 19. Upon the passage of any ordinance, the enrolled copy thereof, attested by the recorder, shall be submitted to the mayor by the recorder, and if the mayor approves the same he shall write upon it "Approved," with the date thereof, and sign it with his name of office, and thereupon, unless otherwise provided, such ordinance shall become a law and be of force and effect.

Section 20. If the mayor does not approve of an ordinance so submitted he must, within ten days from the receipt thereof, return the same to the recorder with his reasons for not approving it; and if the mayor does not so return it such ordinance shall become a law as if he had approved it; and as soon as any ordinance shall become a law it shall be the duty of the recorder to correctly copy the same in a permanent record book and attest the same and then present such attested copy to the mayor for his examination, and if he shall find such copy to be correctly made, he shall so state and affix his signature thereto.

Section 21. Upon the first meeting of the council after the return of an ordinance from the mayor, not approved, the recorder shall deliver the same to the council with the message of the mayor, which must be read, and such ordinance shall then be put upon its passage again, and if two thirds of all the members constituting the council, as then provided by law, vote in

the affirmative, it shall become a law without the approval of the mayor, and not otherwise.

Section 22. A majority of the aldermen, with the presiding officer, at any meeting shall constitute a quorum to do business, but a lesser number may meet from time to time and compel the attendance of absent members, and all their meetings shall be public, and at least once a year they shall cause a statement of the financial affairs of the city to be published.

Section 23. The common council shall not in any manner create any debt or liability; *provided*, at the beginning of each year an estimate be made of the revenues to be derived from all sources. From the total of that estimate the total of fixed charges shall be deducted and the disbursements of the city council shall be restricted to the balance, and not more than one twelfth of such balance shall be expended in one month. No debt shall be contracted in excess of the estimated revenue. If the council shall vote to incur indebtedness in excess of the authorized amount, such indebtedness shall stand against the members voting for it as a joint and several note, and the city shall not be liable for it, and the common council is hereby authorized to issue bonds to the amount of the present indebtedness; *provided*, said bonds shall not be sold at less than par value, and said bonds not to draw to exceed five per cent. interest per annum in addition to the bonds already issued by the city.

Section 24. Any contract entered into for or on behalf of the city for a longer period than two years shall be null and void from date of contract.

Section 25. The council shall have power and is authorized whenever it deems it expedient to improve the public grounds within said city; to establish and open streets and alleys within the limits of said city in continuation of those now or hereafter laid out; to establish or alter the grade and improve any street or part thereof now or hereafter laid out, or establish within the limits of said city and to lay down all necessary sewers and drains; and to determine and provide for everything convenient and necessary concerning such improvements and repairs, but said city shall not in any event be liable in damages to any person for an injury caused by any defect or dangerous place at or in any sidewalk, crosswalk, street, alley, bridge, public grounds, public buildings or ditch, unless said city shall have an actual notice of such defect or dangerous place, and a reasonable time thereafter in which to repair or remove such defect or dangerous place before the happening of such accident or injury, and in no case shall more than \$100 be recovered as damages from the city for such an accident or injury.

Section 26. No grade or improvement mentioned in section

25, except the original establishing of a grade, can be undertaken or made without ten days' notice thereof being first given by publication in some daily newspaper published in the city of Salem.

Section 27. Such notice must be given by the recorder by order of the council, and must specify with convenient certainty the street or part thereof proposed to be improved, or of which the grade is proposed to be established or altered, and the kind of improvement which is proposed to be made.

Section 28. Within ten days from the final publication of such notice the owners of more than two thirds majority of the superficial area of the property adjacent to such street or part thereof, as the case may be, may make and file with the recorder a written remonstrance against the proposed improvement, grade or alteration thereof, and thereupon the same shall not be then further proceeded in or made. And the particular improvement so defeated by a remonstrance shall not be again proposed for six months, except on petition of two thirds of the property to be affected thereby. But notice may be at once given of a different kind or character of improvement from the first proposed.

Section 29. If no such remonstrance be so made and filed, the council at its earliest convenience thereafter and within six months from the final publication of such notice may establish the proposed grade or alteration thereof or commence to make the proposed improvement as hereinafter provided.

Section 30. In the case of a notice to establish grade or alteration thereof, the council within the time limited by section 29 may establish the same by ordinance, as proposed in the notice.

Section 31. In case the notice be for the improvement of a street or part thereof, the council may proceed to ascertain and determine the probable cost of making such improvement, and assess upon each lot or part thereof liable therefor its proportionate share of such cost; *provided*, that the owners of the property liable for said improvements shall have a reasonable time to complete said improvements under the supervision and direction of the street commissioner in lieu of the assessment.

Section 32. When the probable cost of the improvement has been ascertained and determined, and the proportionate share thereof of each lot or part thereof has been assessed, as provided in section 31, the council must declare the same by ordinance and direct the recorder to enter a statement thereof in the docket of city liens, as provided in the next section.

Section 33. The docket of city liens is a book in which must be entered, in pursuance of section 32, the following matter in relation to assessments for the improvements of streets:—

1. The number or letter of the lot assessed, and the number or letter of the block in which it is situated, and if a separate assessment is made upon a part of the lot, a particular designation of such part.

2. The name of the owner thereof, or that the owner is unknown.

3. The sum assessed upon such lot or part thereof, and the date of entry.

Section 34. The docket of city liens is a public writing, and the original or certified copies of any matter authorized to be entered therein are entitled to the force and effect thereof, and from the date of the entry therein of an assessment upon a lot or part thereof, the sum so entered is to be deemed a tax levy and a lien thereon, which shall have priority over all other liens or incumbrances thereon whatever.

Section 35. A sum of money assessed for the improvement of street cannot be collected until, by order of the council, ten days' notice thereof is given by the recorder by personal service, or if personal service cannot be had within the city of Salem, then notice may be served by publication in a daily newspaper published in the city of Salem, and notice of such assessment shall be sent by mail, when service is by publication, when postoffice address of the owner is known; such notice must substantially contain the matters required to be entered on the docket of city liens concerning such assessment.

Section 36. If, within ten days from the service of the notice or the final publication, notice thereof as prescribed in section 35, the sum assessed upon any lot or part thereof is not wholly paid to the city treasurer and a duplicate receipt therefor filed with the recorder, the council may thereafter order a warrant for the collection of the same to be issued by the recorder, directed to the city marshal or other person authorized to collect taxes due the city.

Section 37. Such warrant must require the person to whom it is directed to forthwith levy upon the lot or part thereof upon which the assessment is unpaid, and sell the same in the manner prescribed by law for the sale and collection of delinquent state and county taxes, and to return the proceeds of such sale to the city treasurer and the warrant to the recorder, with his doings endorsed thereon, together with the receipt of the city treasurer for the proceeds of such sale as paid to him.

Section 38. Such warrant shall have the force and effect of an execution against real property, and shall be executed in like manner, except as herein otherwise specially provided.

Section 39. The city marshal shall immediately after having sold any real property by virtue of such warrant or of any war-

rant for the collection of delinquent taxes make a certificate of sale of the property so sold, setting forth therein the object for which the sale was made, a description of the property sold, a statement of the amount it sold for, of the improvement for which the assessment was made or the year in which the tax was levied, the amount of such tax or assessment, the name of the purchaser, and that the sale is made subject to redemption within three years from the date of the certificate, and then deliver such certificate to the purchaser. The owner or his successor in interest, or any person having a lien by judgment, decree or mortgage on any property so sold, may redeem the same upon the conditions provided in the next section.

Section 40. Redemption of any real property sold for delinquent assessments or taxes under the provisions of this act may be made by paying to the recorder for the purchase, at any time within three years from the date of the certificate of sale, the purchase price and twenty-five per cent. additional, together with ten per cent. interest upon the purchase price from the date of such certificate, and the amount of any taxes paid thereon by such purchaser and interest thereon from the date of their payment. Such redemption shall discharge the property so sold from the effect of such sale, and, if made by a lien creditor, the amount paid for the redemption shall thereafter be deemed a part of his judgment, decree or mortgage, as the case may be, and shall bear like interest and may be enforced and collected as a part thereof.

Section 41. After the expiration of three years from the date of such certificate, if no redemption shall have been made, the city marshal shall execute to the purchaser, his heirs or assigns, a deed of conveyance, containing a description of the property sold, a statement of the amount bid of the improvement for which the assessment was made, of the year in which the tax was levied, that the assessment or tax was unpaid at the time of the sale and that no redemption has been made. And the effect of such deed shall be to convey to the grantee therein named the legal and equitable title in fee simple to the real property in such deed described. And such deed shall be *prima facie* evidence of title in such grantee, and that all proceedings and acts necessary to make such a deed in all respects good and valid have been had and done, and such *prima facie* evidence shall not be disputed, overcome or rebutted, or the effect thereof avoided, except by satisfactory proof of either—

1. Fraud in making the assessment, or in the assessment or collection of the tax.
2. Payment of the assessment or tax before sale or redemption after sale.

3. That the payment or redemption was prevented by fraud of the purchaser; or

4. That the property was sold for an assessment or tax for which neither said property nor the owner of, at the time of the sale, was liable, and that no part of the assessment or tax was assessed or levied upon the property sold.

Section 42. Every action, suit and proceeding which may be commenced for the recovery of land sold by the city marshal of said city for any assessment or tax, except in cases where the assessment or tax for which the land was sold had been paid before the sale of the land redeemed, as provided by law, shall be commenced within three years from the time of recording the deed executed by the city marshal, and not thereafter.

Section 43. Each lot, or part thereof, within the limits of a proposed street improvement shall be liable for the full cost of making the same upon the half of the street in front of and abutting upon it, and also for a proportionate share of the cost of improving the intersection of two of the streets bounding the block in which such lot or part thereof is situated. But when the land adjacent to said street to be improved shall not be laid off in blocks, then the cost of improvement shall be assessed to the owner or owners of the tract of land lying within 100 feet of such improvement.

Section 44. The probable cost of improving such intersection is to be assessed upon the lots, or parts thereof, situated in the quarters of the four blocks adjoining such intersection, but only upon the lots or parts thereof within the quarters nearest thereto, and in the following proportions: Two thirds of the cost to the corner lot and one third of the cost to the lot next inside; *provided*, that when any tract adjacent to said improvement shall not be laid off in blocks, the proportionate cost of the improvement of such intersection shall be assessed to the owner or owners of such land as lies within 100 feet of the intersection.

Section 45. A sale of real property under the provisions of this act conveys to the purchaser, subject to redemption as herein provided, all the estate of interest therein of the owner, whether known or unknown, together with all the rights and appurtenances thereunto belonging.

Section 46. When an assessment upon any lot or part thereof becomes delinquent, any person having a lien thereon by judgment, decree or mortgage, may at any time before the sale of such lot or part thereof, pay the same, and such payment discharges the property from the effect of the assessment, and the amount of such delinquent taxes and all accruing cost and charges, if any, when so paid is thereafter to be deemed a part of such lien creditor's judgment, decree or mortgage, as the case may be, and

shall bear like interest and may be enforced and collected as a part thereof.

Section 47. The council must provide by ordinance for the time and manner of doing the work on any proposed improvement, subject only to the following restrictions, viz: After proper notice the work must be let to the lowest bidder, except as provided in section 31, for either the whole work necessary to complete the proposed improvement or for such subdivision thereof as will not materially conflict with the completion of the remaining portions; but no bid of a fractional part of any class of work chargeable to the lots or blocks on either side of the street, from one cross street to the other, shall be received, except that sidewalks may be let separately as the council may direct; *provided, further*, that the council shall provide for the rejection of any and all bids when deemed unreasonable, and that the bid of any person who has bid before or contracted for such work and been delinquent therein, shall not be received. The council shall provide for taking security by good and sufficient bonds for the faithful performance of any contract let under its authority, and the provisions thereof shall be enforced by an action in the name of the city of Salem.

Section 48. If, upon the completion of any improvement, it is found the sums assessed therefor upon any lot or part thereof is insufficient to defray the cost thereof, the council must ascertain the deficit and declare the same by ordinance; when so declared the recorder must enter the sum of the deficit in the docket of city liens in a column reserved for that purpose in the original entry, with the date thereof, and such deficit shall thereafter be a lien upon such lot or part thereof in like manner and with like effect as in case of the sum originally assessed, and shall also be payable and may be collected in like manner and with like effect as in the case of such sum so assessed.

Section 49. If, upon the completion of any improvement, it is found that the sum assessed therefor upon any lot or part thereof is more than sufficient to defray the cost thereof, the council must ascertain and declare the surplus in like manner as in the case of a deficit; when so declared it must be entered as in case of a deficit in the docket of the city liens. Thereafter, the person who paid such surplus, or his legal representatives, is entitled to repayment of the same by warrant upon the city treasurer.

Section 50. All money paid or collected upon assessments for the improvement of streets shall be kept as a separate fund and in nowise used for any other purpose whatsoever.

Section 51. The proceedings authorized by this act for the establishment or alteration of a grade or the improvement of a street or part thereof, may be taken and held without giving the

notice prescribed in section 37 whenever the owner or owners of two thirds of the adjacent property shall, in writing, petition the council therefor; and whenever any street or part thereof shall be in such condition as to become unsafe or dangerous, in the judgment of the city council, to persons or teams passing on, along or over the same, the council may declare the same by resolution, and may thereupon cause the improvement of such street to be made without any petition therefor.

Section 52. The council shall have the power to lay down all necessary sewers and drains and cause the same to be assessed on the property directly benefited by such drain or sewer, but the mode of apportioning estimated costs of improvement of street prescribed in sections 43 and 44 of this act shall not apply to the construction of such sewers and drains; and when the council shall direct the same to be assessed on the property directly benefited, such expense shall in every other respect be assessed and collected in the same manner as is provided in the case of street improvements; *provided*, that the council may, at its discretion, appoint three disinterested persons to estimate the proportionate share of the cost of such sewer or drain to be assessed to the several owners of the property benefited thereby. And in the construction of any sewer or drain the city shall have the right to use and divert from their natural course any and all creeks or streams running through the city into such sewer or drain.

Section 53. The council is authorized to repair any street or part thereof whenever it deems it expedient, and to declare by ordinance before doing the same, whether the cost thereof in whole or in part shall be assessed upon the adjacent property or be paid out of the general fund of the city.

Section 54. If the council declares that a proposed repair shall be made at the cost of the adjacent property, thereafter the proposed repair is to be deemed an "improvement" and shall be made accordingly; but if it declares that the cost of the same shall be paid out of the general fund, such repairs may be made as the ordinance may provide, and be paid for accordingly.

Section 55. The cost of establishing or altering the grade of any street or part thereof shall be paid out of the general fund of the city; the term "general fund," as used in this act, includes any fund raised by special tax for the purpose in connection with which such term is used.

Section 56. Whenever any lot or part thereof, sold under the provisions of this act, shall bring more than the assessment thereon, with costs and charges of collecting, the surplus must be paid to the treasurer, and the officer executing the warrant must take a separate receipt for such surplus and file it with the

recorder on the return of the warrant. At any time thereafter the owner, or his legal representative, is entitled to a warrant upon the treasurer for such surplus; *provided*, whenever any lot or part thereof, sold under the provisions of this act, shall bring less than the assessment thereon, the common council shall supply the deficiency out of the "general fund," if, in the opinion of the council, such improvement is necessary.

Section 57. The return of the officer executing the warrant must specify the amount for which each lot or part thereof sold and the name of the purchaser.

Section 58. Whenever the grade of any street has been established the council may at its discretion authorize the owner or owners of any property thereon to cut down or fill up such street in front of such property according to such grade, at the expense and cost of such owner, but the authority mentioned in this section cannot be given after an assessment has been made for the improvement of the street in front of such property, except as provided in section 31, and in giving such authority the council may impose such terms and conditions thereon as may be necessary to secure the deposit of excavations upon any part of such street as may be required to be filled up.

Section 59. Whenever any lot or part thereof is sold for delinquent assessment for a street improvement and afterward sold for a deficit in such assessment, as in this act provided, to any person other than the purchaser at the first sale or his successors in interest, such purchaser or successor, for the purpose of making redemption from the purchaser at such resale, is to be deemed an owner within the meaning of this act.

Section 60. All general or special taxes, levied as provided and authorized in section 6, and all assessments for the opening, extension, improvements or repairs of streets and alleys, or for laying sewers or drains, and every part thereof shall bear interest at the legal rate from the time it is due and payable until paid or collected, unless otherwise provided in this act.

Section 61. Whenever any proceeding for the improvement of any street or part of street, or the laying of any sewer have been taken according to the provisions of the act, it shall be lawful for any property owner affected thereby, whose assessment for such improvement or for the laying of such sewer, shall exceed \$25, at any time within ten days after notice of such assessment is first served upon him or published, as in this act provided, to file with the recorder his written application that he be allowed to pay the cost of such improvement in installments, and in such written application shall also state that he does hereby waive all or any irregularity in such proceedings to improve such street or lay such sewer, and giving therein a de-

scription of his property affected thereby, by lots and blocks or other convenient description, and thereafter and thereupon such property owner and such property thereby affected shall pay the cost of such improvement or such sewer, so far as the same affects such property, in installments, as is hereinafter provided.

Section 62. The recorder shall keep a book in which shall be entered and recorded all such applications as are specified in section 61 of this act. Such entries and record shall be separate for each street or sewer to be improved or laid, and shall be entered under the head of such street or sewer by number or name, and indexed accordingly.

Section 63. Whenever any assessment for the improvement of any street or the laying of any sewer in this city shall have been made certain in amount, as to any property upon which the owner thereof has elected to pay by installments, and has filed his notification of the fact, as provided in section 61 of this act, the recorder shall at the end of ten days after the making of such assessment and the first giving or publishing of notice thereof, enter in a docket, to be kept for that purpose, under separate heads for each street or sewer, by name or number, a description of each lot or parcel of land against which such assessment is made for such improvement or sewer, together with the name of the owner and the amount of such assessment set against each lot or parcel of land. Thereafter such docket shall stand as a lien docket in favor of the city as against each lot or parcel of land therein described, and for the amount of such assessment therein docketed against each such parcel or lot of land, until the same is completely paid in manner hereinafter provided, and the same shall be and remain a lien on each such lot or parcel of land in favor of this city, until the same is fully paid in manner by this act provided.

Section 64. When such docket shall have been completely made up in manner as hereinbefore provided as to the improvement of any particular street, or the laying of any particular sewer, this city shall thereupon issue its bonds in convenient denominations, not less than \$25 nor more than \$500, and in all equal to the amount of all the assessments against property affected by such improvement, and upon which the owners thereof have notified, as provided in section 61 of this act, as shown by the docket of the city as provided in section 61; such bonds to be issued, shall, by the terms thereof, mature in fifteen years from their date and payable in ten years from date, and bear interest not to exceed six per cent. per annum, interest payable semi-annually, with interest coupons attached. Such bonds before issuance shall be signed by the mayor and countersigned

by the recorder, authenticated by the seal of the city duly attached thereto, and shall be registered consecutively by number and denomination of each in a book to be kept by the recorder, to be known and designated as the "Bond Register;" each of such bonds so registered, before issuance, shall have distinctly and plainly inscribed or marked on the face thereof "Improvement Bonds," — — — —, street or sewer bond, sewer, and the register number marked thereon. Such bonds shall be negotiated and sold on the best terms available by the city.

Section 65. There shall thereafter be levied on each lot or parcel of land so assessed and so entered in such lien docket annually, at the time of levying the general taxes of such city, a special tax equal to the percentage borne by the bonds issued for such improvement, upon the amount so docketed against such lot or parcel of land for and during the ten years next succeeding the date of issuance of such bonds, and at the expiration of such ten years there shall be levied on each lot or parcel of land so assessed, and so entered in such lien docket, 20 per cent. of such amount so assessed and docketed, annually, for and during the next succeeding five years, together with an amount equal to the percentage borne by such improvement bonds to the extent of any and all unpaid balances as shall appear at the time of such levy against each such lot or parcel of land as may appear by the lien docket of the same; *provided, however*, that at any time after issuance of such bonds, any owner at the time being of any such lot or parcel of land against which such assessment is made and lien docketed, may pay into the city treasury the whole amount of such assessment, and for which such lien is docketed, together with the full amount of interest accrued thereon to such date of payment, and thereupon producing to the recorder the receipt of such treasurer therefor (in which receipt shall be not only stated the amount of such payment, but also a description of the lot or parcel of land upon which such payment is made), such recorder shall enter in such lien docket, opposite the entry of the lien therein, the fact of such payment, and the date thereof, and that the lien therefor is discharged. Thereafter the annual levy of special tax provided by this act shall cease and the lien therefor shall be discharged.

Section 66. The treasurer shall keep such funds and the amount thereof separate and apart from other fund of this city, such fund to be known and designated "Improvement Fund," and such fund shall be deposited, from time to time, in such bank as shall pay and allow the highest and best rate of interest on time deposit. Such bank to be designated by the common council, from time to time, as the council may direct.

Section 67. On the coming in of taxes upon the liens made

under this act, and which taxes shall be collected in the same manner and at the time and with the same remedies for delinquencies as all other taxes provided for by this act, entries of such payments shall be made in the lien docket, as the same may be received from time to time, with the date thereof, and such payment made and entered in such lien docket shall be and operate as discharge of such lien to the extent of such payment, and from the date thereof.

Section 68. No obligation incurred by the city by virtue of this act shall be deemed or taken to be within, or any part of the limitation by law, as to indebtedness thereof.

Section 69. At any time after the bonds which may be issued by virtue of this act shall become payable, the city may redeem such bonds, and to that end shall redeem the same consecutively by number of such bonds, commencing with No. 1 of such bonds, and shall give notice of the readiness of such city to redeem by publication in some newspaper published and having a general circulation among its subscribers in this city, once each week, for three successive weeks, giving therein the number of the bonds which will be redeemed, and the time at which such redemption will be made, and after such time so fixed for redemption, no interest shall accrue or become payable on such bonds so notified for redemption.

Section 70. Whenever the council shall deem it for the interest of the city to open and lay out a street or alley or extend those now or hereafter to be laid out, they shall declare the same by ordinance to be published one month in some daily or weekly paper published in the city of Salem. The council at its earliest convenience thereafter, and within six months of the final publication of such notice, shall appoint three disinterested freeholders, residents of the city, whose duty it shall be to proceed to assess and report to the council the damages to property holders on the line of the street or alley to be opened, laid out or extended; at the same time to determine what persons or property shall be benefited by such improvements, and assess the damages and expenses, in part or whole thereof, on the real estate benefited thereby, in proportion, as near as may be, to the benefits resulting to each. Such benefits, when determined and assessed, shall be a lien upon the property so benefited, and shall be docketed, proceeded with and collected in the same manner as assessments for street improvements.

Section 71. Each lot or part thereof within the limits of a street where a sidewalk is proposed to be built or improved or repaired, shall be liable for the full cost of making, improving or repairing the same in front of or abutting upon it.

Section 72. No law or part thereof, authorizing any tribunal

or officer of Marion county to grant tavern or grocery licenses, shall apply to persons vending liquors within the city of Salem.

Section 73. The council shall have power to assess and collect harbor dues from all vessels and steamboats or other water craft whatever arriving or departing from the city; to license, tax or regulate and restrain steamboat runners and wharfingers; to provide for the erection of a city hall, a city jail, house of correction and workhouse, and the government and management of the same.

Section 74. The power and authority given by general law of the state to the county court of Marion county to divide said county into road districts, to appoint road supervisors to lay out or work highways, to license the sale of liquors and to grant ferry licenses, shall not apply or extend to the territory within the limits of the city of Salem; but said territory and the inhabitants thereof are hereby excepted out of the jurisdiction of said court upon said subject; *provided, however*, that the street commissioner shall work the county road tax due from the inhabitants of the city on the streets, alleys and bridges thereof, after the manner prescribed by general law for road supervisors, and he shall have the same power and authority to enforce the payment of such road tax in work or money as provided in such general law for road supervisors. But all suits, actions or proceedings concerning road or street work, or road or poll taxes, shall be prosecuted in the name of the city of Salem. He shall report the application of said road work or money collected in lieu thereof to the council when required by ordinance or by order of said council.

Section 75. All existing city ordinances of the city of Salem, as now incorporated, in force when this act takes effect, and not inconsistent therewith, shall be and remain in full force after this act takes effect, and thereafter until repealed by the council; and no right vested nor liability incurred when this act takes effect shall by any provision of this act be lost, discharged or impaired; and all rights and property, both real and personal, including all parks, public grounds and buildings, as well as all property now vested in or belonging to the city of Salem, shall continue to be the rights and property of the city of Salem created by this act. The present councilmen of the city of Salem shall hold their offices for the term for which they were respectively elected, and the incumbents in the offices of mayor, treasurer, recorder, marshal and city attorney, and all other officers who shall be in office when this act shall take effect, shall hold under this act their respective offices until the ends of the terms for which they shall have been respectively elected or ap-

pointed and until their respective successors shall have been elected or appointed and qualified.

Section 76. All actions and proceedings in the recorder's court of the city of Salem, when this act takes effect, shall thereafter be proceeded in according to the provisions of this act, or any city ordinance applicable thereto and continue in force by this act. And no suit, action or proceeding now pending in any of the courts in this state shall abate by virtue of this act. And no proceeding for the collection of taxes or assessments or sale of property shall be effected by this act, but the marshal shall proceed to enforce the same by virtue of this act. All suits, actions or proceedings now pending, in which the city has an interest, shall be continued in the name and for the benefit of the city of Salem.

Section 77. That an act entitled "An act to incorporate the city of Salem," approved October, 1862, and an act amendatory thereof, and all other acts or parts of acts in conflict with any of the provisions of this act, be and the same are hereby repealed; *provided*, that such repeal shall not revive any law which was repealed by any of the acts which are hereby repealed.

Section 78. This act shall be in force from and after its approval by the governor.

E. H. FLAGG,  
Chairman.

Mr. Flagg moved that the rules be suspended and that house bill No. 39 be considered engrossed, read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson Wonacott, Young and Mr. Speaker—57.

Nays—Mr. Stump—1.

Absent—Messrs. Blackaby and Kruse—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Butt, Conn, Cummings,

Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—57.

Nays—Mr. Stump—1.

Absent—Messrs. Blackaby and Kruse—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 68 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Massingill, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—52.

Nays—Messrs. Marsh, McAlister, Palmer and Platts—4.

Absent—Messrs. Blackaby, Cummings, Kruse and Topping—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The speaker announced that he was about to sign house bills Nos. 57, 13, 68 and 70.

The speaker announced that he had signed house bills Nos. 57, 13, 68 and 70.

House bill No. 83. Mr. Beach. A bill for an act to provide for the ordinary expenses of the state government and general and specific appropriations.

Mr. Beach moved that the rules be suspended and that house bill No. 83 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell,

McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Topping—2.

So the rules were suspended and house bill No. 83 was read first time by title only and passed to second reading.

Mr. Beach moved that the rules be further suspended and that house bill No. 83 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Topping—2.

So the rules were suspended and house bill No. 83 was read second time by title only and referred to the committee of the whole house, with leave to report at any time.

The speaker announced the following gentlemen to serve on the committee, as provided in house resolution No. 34: Messrs. Curtis, Cummings, Bayer, Hall and Platts.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 13, 1898.

I am directed by the president to inform you that the senate has passed house bill No. 55.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 12, 1898.

I am directed by the president to inform you that he has ap-

pointed Senators Porter and Patterson as members of the joint committee, as provided by house concurrent resolution No. 18.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 50.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has appointed Senators Kuykendall and Michell on the part of the senate as members of the joint committee, as provided in house joint resolution No. 1.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has appointed Senator Selling as a member of the joint committee, as provided by house concurrent resolution No. 20.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 20.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 12, 1898. }

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 18.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 12, 1898. }

I am directed by the president to inform you that the senate has passed house bill No. 60.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 12, 1898. }

I am directed by the president to inform you that he has signed house bill No. 19.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 13, 1898. }

I am directed by the president to inform you that he has signed house bill No. 36.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 13, 1898. }

I am directed by the president to inform you that he has signed house bill No. 34.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 10, relative to the death of the wife of Hon. T. T. Geer, governor-elect of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## SENATE CONCURRENT RESOLUTION NO. 10.

*Resolved by the senate, the house concurring,* That we learn with sincere regret of the sudden death at Omaha, Nebraska, early in the morning of Thursday, October 13, 1898, of the devoted wife of Hon. T. T. Geer, governor-elect of this state, and does hereby express its profound sympathy with the stricken husband and family in their bereavement;

*Resolved,* That the president of the senate and the speaker of the house of representatives are directed to wire this resolution to Hon. T. T. Geer at Omaha, Nebraska.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted senate concurrent resolution No. 11, granting joint committee, as provided by house concurrent resolution No. 8, permission to report at the regular session in January, 1899.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

## SENATE CONCURRENT RESOLUTION NO. 11.

Whereas, the committee appointed under house concurrent resolution No. 8, to investigate the Loewenberg contracts as treated in the governor's message, has found, on examination, that it would be impossible for it to complete its labors and properly report at this session, it has been deemed necessary by such committee to ask the house and senate to permit the committee to make its report at the session of the legislature in January, next; now, therefore, be it

*Resolved by the senate, the house concurring,* That the committee appointed under house concurrent resolution No. 8 be permitted to make its report at the regular session of the legislature in January, 1899, and that it be and is hereby authorized to sit in the meantime; and that it be further authorized and empowered to issue citation to and compel the attendance of such person or persons as to it seems necessary; and that it be further authorized to issue such subpoenas as will bring before it such books and papers as it deems necessary for a proper and complete examination of the matter before it; and the committee is further authorized to employ such clerical aid as may be necessary.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 12, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate joint memorial No. 1, memorializing congress to pass senate bill No. 344, relating to the payment of claims of Indian war pioneers and veterans.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,

Chief clerk.

On motion, the house went into committee of the whole, with Mr. Moody as chairman.

The committee of the whole arose and the speaker resumed the chair.

Mr. Moody, chairman of the special committee of the whole house, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }

SALEM, Oregon, }

October 13, 1898. }

*Mr. Speaker:*

Your committee of the whole house, to whom was referred house bill No. 83, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Amend lines 150, 151 and 152 by adding the following: "For pay of R. E. Moody for furnishing three briefs in the cases of *Shattuck v. Kincaid*, *Irwin-Hodson Company v. Kincaid*, *Croasman v. Kincaid*, \$92.50."

## AMENDMENT.

Amend lines 170, 171, 172 and 173 so the same shall read as follows: "For pay of mileage and per diem of members and officers and other necessary expenses of the nineteenth biennial session of the legislative assembly, with interest upon supplies, and pay of members and officers of the senate and the house of representatives, and pay of the clerks of the senate committees, that the compensation of the officers and clerks of the house shall be the same as paid in the senate, or so much thereof as may be necessary, \$38,000."

## AMENDMENT.

Amend by adding the following to line 208: "Dalles, Portland and Astoria Navigation Company, \$448.24."

R. E. MOODY,  
Chairman.

On motion of Mr. Moody, the house adopted the amendments proposed by the committee.

Mr. Curtis moved that the house adjourn to 10 o'clock a. m. tomorrow.

Mr. Topping moved to amend by making the hour of adjournment 7:30 o'clock this evening.

The amendment prevailed.

The motion, as amended, prevailed, and the house adjourned to 7:30 o'clock this evening.

A. C. JENNINGS,  
Chief clerk.

## EVENING SESSION.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

The house was called to order at 7:30 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Jones, Kruse, McCourt, Reeder and Briggs.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
October 13, 1898. }

Mr. Speaker:

I am directed by the president to inform you that the senate

has passed senate bill No. 48, a bill for an act entitled an act for the better protection of grouse and prairie chickens.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate bill No. 3 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate bill No. 31 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed house bill No. 27.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 3 and 31.

The speaker announced that he had signed senate bills Nos. 3 and 31.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed house bill No. 12, with the following amendments:

## AMENDMENT.

Amend section 1, line 3, by inserting the word "thirty" between the words "the" and "first."

## AMENDMENT.

Amend section 2 by striking out the whole thereof and inserting in lieu thereof the following: "Sec. 2. From and after the first day of January, 1911, it shall be unlawful for any person to hunt, injure or kill any elk between the first day of November, and the fifteenth day of August of each year, and it shall be unlawful between the fourteenth day of August and the second day of November of any year for any person to kill more than one elk."

## AMENDMENT.

Strike out all of section 3 and in lieu thereof insert the following: "Sec. 3. It shall be lawful for any municipal corporation having a public park to have in its possession as an attraction in said park such number of elk as may be desired by the authorities in charge of such park, and it shall be lawful for any private person to have and keep any number of elk as an attraction or adornment of any private park or grounds."

## AMENDMENT.

Add the following section: "Section 7. Inasmuch as there is urgent necessity for the protection of elk, as in this act provided, this act shall be in force and take effect from and after its approval by the governor."

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

On motion, the amendments were adopted.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

*Mr. Speaker:*

October 13, 1898. }

I am directed by the president to inform you that the senate has passed house bill No. 64, with the following amendments:

## AMENDMENT.

Amend section 1 so as to read as follows: "Sec. 1. The fees hereafter to be charged and collected by the county clerk of Tillamook county as *ex officio* recorder of conveyances of said county shall be the same as those fees prescribed for similar

service in section 2339 of the general laws of Oregon, as compiled and annotated by William Lair Hill, the fees hereby prescribed being only for services pertaining to the duties of the county clerk as *ex officio* recorder of conveyances of said Tillamook county."

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

On motion of Mr. Maxwell, the amendments were concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,

Mr. Speaker:

October 13, 1898. }

I am directed by the president to inform you that the senate has passed house bill No. 77, with the following amendments:

AMENDMENT.

Strike out all after the enacting clause and insert in lieu thereof the following:—

Section 1. That the county court of the state of Oregon for the county of Multnomah is hereby authorized and empowered to lease the upper deck or roadway of that certain bridge, across the Willamette river, in the city of Portland, within the county of Multnomah and state of Oregon, built under the provisions of the act of the legislative assembly, filed in the office of the secretary of state February 12, 1887, entitled "An act to authorize the construction of a bridge across the Willamette river, between the city of Portland and the city of East Portland, in Multnomah county, state of Oregon," commonly called the steel bridge. The said upper deck or roadway of said steel bridge when so leased, as provided in this act, shall be free of all pedestrians and all classes of vehicles and traffic, except street railways. The said county court shall have power, when said upper deck or roadway of said bridge is so leased, to keep the same in repair and to maintain the same.

Section 2. Said county court of Multnomah county shall have power and authority to employ, hire and discharge from time to time all such agents, workmen, laborers and servants as it may deem necessary for the management and operation of the upper deck of the said steel bridge, to make all needful rules and regulations for the conduct, management and use of the same by the public; to establish rates for the use thereof by the street railway companies not entitled to free use of the same, and to do any and

all other acts requisite and necessary to carry into effect the power and authority given by this act.

Section 3. For the purpose of carrying this act into effect, said county court is authorized and empowered to annually levy a tax upon all the taxable property within the county of Multnomah sufficient to pay the rental of said bridge, and to operate the same, and to keep it in repair, which tax shall be levied and collected in manner and form as other taxes are levied and collected by Multnomah county.

Section 4. The said upper deck or roadway of said steel bridge while so leased to the county shall be considered and held to be a county road.

Section 5. Inasmuch as there is urgent need for the leasing of the said steel bridge as herein provided, this act shall take effect and be in force from and after its approval by the governor.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 1, with the following amendments:

#### AMENDMENT.

Amend section 1 by inserting after the word "river" on line 9 from the top of page 6, engrossed bill, the words, "*provided*, that this provision shall not apply to Wallowa river until a salmon hatchery is built thereon."

#### AMENDMENT.

Insert after the word "fish" on line 14, from the bottom of page 9, the words "during the close seasons provided in this act."

#### AMENDMENT.

Amend section 4, engrossed bill, by striking out the words "one fifth" and inserting in lieu thereof the words "one third."

#### AMENDMENT.

Amend engrossed bill by striking out all of section 7, beginning with the word "it" on line 1, down to the word "obstruction" on line 8 of said section, and insert in lieu thereof: "It shall be unlawful for any person to construct any dam or artificial ob-

struction across any stream in this state, frequented by salmon or trout, or to maintain any such dam or obstruction heretofore erected, without providing a free passage for such fish over such obstruction. Such passage way for fish to be constructed as near the main channel as may be practicable."

## AMENDMENT.

Amend section 18, engrossed bill, by striking out lines 8 and 9 from the top of page 27, and insert in lieu thereof the following: "First class dealers handling not less than ten tons of fish and not exceeding twenty tons."

## AMENDMENT.

Amend section 22, engrossed, bill by striking out all that part of section 22, beginning with the words "chosen" on line 3 of said section down to and including the word "assembly" on line 4 thereof, and insert in lieu thereof the words "appointed by the governor," and also by striking out the word "elected" on line 7 of said section and insert in lieu thereof the word "appointed"; and also by striking out that part of the section beginning with the word "at" on line 8 thereof down to and including the word "assembly" on line 10; also by striking out the word "election" in line 13, and inserting in lieu thereof the word "appointed."

Senator Reed moved the adoption of the amendments.

The amendments were adopted.

Mr. Whalley introduced house joint resolution No. 13.

## HOUSE JOINT RESOLUTION NO. 13.

Whereas, the laws governing the sale of tide and other lands of this state have, by reason of many ill-conducted and inharmonious amendments, become so confused and contradictory as to be inoperative in some of their provisions, as pointed out by the secretary of state in his report to this assembly, and so defective as to provide no relief for those injured or wronged, or prevent existing evils, abuses and evasions of the spirit and intent of the law; and

Whereas, the law, or perhaps more correctly speaking, absense of clearly defined law, governing the sale of tide and overflowed lands on the Columbia river is the source of constant contention and litigation, and operates greatly to the damage of public and private interests; and

Whereas, numerous minor amendments have been suggested by the clerk of the state land board which would tend to simplify the laws and relieve the office, and meet the requirements of the

changed conditions and especially to safeguard against increeping abuses; and

Whereas, these amendments touch in some degree almost every section of the present law; therefore, be it

*Resolved*, That a committee, consisting of three on the part of the house and two on the part of the senate, be appointed to fully examine the laws governing the sale of the lands of this state, and the disposition of the funds arising therefrom, and report to the next regular legislative assembly by bill amending or codifying such laws, with such changes and additions as may be deemed necessary and wise, and to employ such clerical aid as may be necessary.

On motion of Mr. Curtis, the resolution was referred to the committee on resolutions.

The house took up the ninth order of business.

Senate bill No. 12 coming on for first reading, Mr. Beach moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—59.

Nays—None.

Absent—Mr. Kruse—1.

So the rules were suspended and senate bill No. 12 was read first time by title only and passed to second reading.

Mr. Beach moved that the rules be further suspended and that senate bill No. 12 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and Young—2.

So the rules were suspended and senate bill No. 12 was read second time by title only and referred to the committee on commerce, with leave to report at any time.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

Your committee on engrossed bills, to whom was referred house bill No. 83, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

Mr. Beach moved that the rules be suspended and that house bill No. 83 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—58.

Nays—None.

Absent—Messrs. Kruse and McQueen—2.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

Messrs. Hawson and Roberts demanded a call of the house.

The roll was called and the following members were absent: Messrs. Jones and Kruse.

On motion of Mr. Myers, further proceedings under call of the house were dispensed with.

Mr. Palmer submitted the following protest:

1. On account of the claim of John Mullan of \$10,540.86, found in line 98, which I understand has been before the legislative bodies and rejected, and has expired by limitation.

2. And the account of W. T. Wright of \$32,688.88, found in line 161, purporting to be paid for lands to which the state has no valid title as yet.

3. And, further, the amount of \$38,000, appropriated in line 176, for the purpose of paying the entire legislature of 1897, thereby breaking over the constitution of the state of Oregon.

I want to be recorded as voting against the appropriation bill. I vote "No."

House bill No. 83 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Gray, Hill, Hobkirk, Knight, Lamson, Marsh, Massingill, Maxwell, McAlister, McCourt, McQueen, Moody, Morton, Myers, Nichols, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Williamson, Young and Mr. Speaker—40.

Nays—Messrs. Blackaby, Butt, Conn, Cummings, Fordney, Gregg, Hall, Hawson, Lewis, McCulloch, Palmer, Platts, Stump, Virtue, Whitney, Wilson and Wonacott—17.

Absent—Messrs. Grace, Jones and Kruse—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Maxwell, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

Your committee on engrossed bills, to whom was referred house bill No. 58, beg leave to report the same back to the house as correctly engrossed.

J. W. MAXWELL,  
Chairman.

House bill No. 58 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight,

Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. Grace, Jones and Kruse — 3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Beach moved that the house take up senate bill No. 12 and place it on its final passage.

Mr. Curtis moved to amend, that senate bill No. 12 be made special order for 10:30 o'clock a. m. tomorrow.

The amendment prevailed.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 12, 1898. }

*Mr. Speaker:*

Your committee on judiciary, to whom was referred senate bill No. 57, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Senate bill No. 57 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Hall, Hawson, Hill, Hobkirk, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Thompson of Clackamas, Thompson of Washington, Topping, Whalley, Williamson, Young and Mr. Speaker—45.

Nays—Messrs. Briggs, Conn, Fordney, Gray, Gregg, McAlister, Palmer, Stillman, Stump, Virtue, Wilson and Wonacott—12.

Absent—Messrs. Grace, Jones and Kruse—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## JOURNAL OF THE HOUSE.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 13.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 57.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 68.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 70.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

Mr. Topping, chairman of the committee on salaries and mileage, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

Your committee on salaries and mileage beg leave to report

that we find members of the house entitled to the following mileage, and herewith submit the following as our report upon the same:—

Name.	Miles.	Amount.
Bayer, J. C.	104	\$ 15 60
Blackaby, J.	1,178	178 70
Beach, S. C.	104	15 60
Brattain, F. M.	150	22 50
Briggs, Abner	160	24 00
Butt, Clarence	100	15 00
Carter, E. V.	580	87 00
Conn, James W.	314	47 10
Cummings, Wm. L.	90	4 50
Curtis, C. J.	324	48 60
Davis, G. E.	188	28 20
Donnelly, R. N.	600	90 00
Farrell, S.	104	15 60
Flagg, E. H.		
Fordney, Peter	920	138 00
Freeland, E. L.	500	75 00
Grace, W. E.	820	123 00
Gray, W. F.	196	29 40
Gregg, N. F.	40	6 00
Hall, J. E.	280	34 50
Hawson, S. G.	400	60 00
Hill, George H.	104	15 60
Hobkirk, Peter	104	15 60
Jones, D. M.	88	13 20
Knight, George	60	9 00
Kruse, L.	90	13 50
Lamson, E. F.	220	33 00
Lewis, Abner	90	4 50
Marsh, G. W.	160	24 00
Massingill, W. A.	986	147 90
Maxwell, J. W.	308	46 20
McAlister, D. A.	720	108 00
McCourt, John		
McCulloch, J. W.		
McQueen, Ivan	220	33 00
Moody, R. E.	104	15 60
Morton, J. W.	234	35 10
Myers, G. T.	104	15 60
Nichols, E. J.	150	22 50
Palmer, H. M.	70	10 50
Platts, E. S.	600	90 00
Reeder, L. B.	566	84 90
Roberts, A. S.	320	48 00
Ross, J. T.	104	15 60
Sherwin, E. A.	562	87 00
Smith, J. E.	406	60 90
Stanley, F. S.	708	106 20
Stewart, Matthew	570	85 50
Stillman, A. D.	564	84 60
Stump, J. B.	44	6 60
Thompson, Alex.	80	12 00
Thompson, J. R. C.	120	18 00
Topping, George P.	540	81 00
Virtue, James W.	540	81 00
Whalley, J. T.	104	15 60
Whitney, J. J.	56	8 40
Williamson, J. N.	634	95 10
Wilson, W. W.	234	35 10
Wonacott, G. W.	352	52 80
Young, Johan E.	324	48 60

GEO. C. TOPPING,  
Chairman.

On motion, the report was adopted.

Mr. Roberts, chairman of the committee on printing, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 13, 1898. }

*Mr. Speaker:*

Your committee on printing, to whom was referred house joint resolution No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it be adopted.

C. J. CURTIS,  
Chairman.

On the adoption of house joint resolution No. 13, the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 56.

Nays — None.

Absent — Messrs. Grace, Jones, Kruse and Topping — 4.

So the resolution was adopted.

Senate bill No. 48 was read first time.

Senate bill No. 48 coming on for second reading, Mr. Roberts moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Fordney, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 53.

Nays — Mr. Flagg — 1.

Absent — Messrs. Grace, Jones, Kruse, Moody, Reeder and Topping — 6.

So the rules were suspended and senate bill No. 48 was read second time by title only.

Mr. Roberts moved that the rules be further suspended and

that senate bill No. 48 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flegg, Fordney, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 57.

Nays — None.

Absent — Messrs. Grace, Jones and Kruse — 3.

So the rules were suspended and senate bill No. 48 was considered engrossed, read third time and placed on final passage.

Mr. Farrell moved to adjourn to 10 o'clock a. m. tomorrow.

The motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flegg, Fordney, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 56.

Nays — None.

Absent — Messrs. Grace, Jones, Kruse and McCourt — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Butt moved that the house take from the table senate concurrent resolution No. 9.

The motion prevailed.

Mr. Reeder moved the adoption of senate concurrent resolution No. 9.

The motion prevailed.

On motion of Mr. Hawson, the house adjourned till 10 o'clock a. m. tomorrow.

A. C. JENNINGS,  
Chief clerk.

FRIDAY, OCTOBER 14, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 14, 1898. }

The house was called to order at 10 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Kruse, McCulloch, McAlister, McCourt, Moody, Stanley, Thompson of Clackamas, Thompson of Washington and Virtue.

The morning session of the house was opened with prayer by Rev. Mr. Parsons.

On motion of Mr. Freeland, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Curtis introduced house joint resolution No. 14.

## HOUSE JOINT RESOLUTION NO. 14.

Whereas, the legislative assembly of the state of Oregon of 1895 appropriated the sum of \$2,000 for the payment of cash outstanding claims against the Oregon world's fair commission and other expenditures authorized by house joint resolution No. 13 of said assembly of 1895; and

Whereas, said sum of \$2,000 included the sum of \$500 as a testimonial to be presented to George T. Myers as a token of the appreciation and approval by the people of this state for the successful management of the Oregon exhibits at said world's fair; and

Whereas, all of said claims have been paid except the above testimonial to said George T. Myers, and there is remaining of said \$2,000 the sum of \$810; therefore be it

*Resolved*, That the secretary of state be and he is hereby authorized to draw a warrant on said fund of \$2,000 in favor of George T. Myers for the sum of \$500, the same being in payment of said testimonial.

On the adoption of the resolution the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister,

McQueen, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—54.

Nays—None.

Absent—Messrs. Kruse, McCourt, McCulloch, Moody, Myers and Thompson of Washington—6.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker :*

Your committee on resolutions, to whom was referred house resolution No. 20, beg leave to report that we have had the same under consideration, and as it is necessary for the house to appoint a committee to examine the journal and has been always customary we recommend that the resolution be adopted.

C. J. CURTIS,  
Chairman.

On motion of Mr. Curtis, the resolution was adopted.

#### HOUSE CONCURRENT RESOLUTION NO. 22.

Whereas, the joint committee appointed under house concurrent resolution No. 3 to investigate and expert the books of the state penitentiary has been at work as directed, but on account of the long length of time which has elapsed since the books were last examined the committee will be unable to make a complete report at this time; therefore, be it

*Resolved, by the house, the senate concurring,* That the committee be granted further time, and that it be directed to make its report at the next regular session.

On motion of Mr. McCulloch, the resolution was laid on the table.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

Your committee on judiciary, to whom was referred house bill No. 66, beg leave to report that we have had the same under

consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

Your committee on judiciary, to whom was referred house bill No. 75, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

Your committee on judiciary, to whom was referred house bill No. 76, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

L. B. REEDER,  
Chairman.

Mr. Reeder, chairman of the committee on judiciary, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker :*

Your committee on judiciary, to whom was referred house bill No. 18, beg leave to report that we have had the same under consideration, and respectfully report it back to the house without recommendation.

L. B. REEDER,  
Chairman.

Mr. Freeland, chairman of committee on assessment and taxation, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 11, 1898. }

*Mr. Speaker:*

Your committee on assessment and taxation, to whom was referred house bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

E. L. FREELAND,  
 Chairman.

Mr. Marsh, chairman of the committee on education, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 12, 1898. }

*Mr. Speaker:*

Your committee on education, to whom was referred senate bill No. 11, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

G. W. MARSH,  
 Chairman.

Mr. Marsh, chairman of the committee on education, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 12, 1898. }

*Mr. Speaker:*

Your committee on education, to whom was referred house bill No 73, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass, and recommend that: As this bill is a matter of great importance, and not having sufficient time to gather information regarding the same, we recommend that a joint committee, consisting of two from the senate and three from the house, be appointed to report at the next regular session.

G. W. MARSH,  
 Chairman.

Mr. Topping, chairman of the committee on salaries and mileage, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 12, 1898. }

*Mr. Speaker :*

Your committee on salaries and mileage, beg leave to submit the following supplementary report:—

1. Recommend that the committee on agriculture be allowed the following mileage to Corvallis and return:

<i>Name.</i>	<i>Miles.</i>	<i>Amount.</i>
W. H. Looney.....	74	\$ 11 10
Matthew Stewart.....	74	11 10
P. R. Kelly.....	74	11 10
R. J. Nichols.....	74	11 10
W. W. Wilson.....	74	11 10
J. Clem.....	74	11 10

2. That the clerks of the committee on engrossed bills be allowed the following per diem: Chief clerk, \$6; three assistant clerks, each \$4.

3. That the clerk of the committee on agriculture be allowed the following per diem: Mrs. Singleton, \$4.

4. That the clerks of the special committee on investigating and expediting books of the penitentiary be allowed the following per diem: Mr. Myers, \$7; Mr. Mohler, \$7.

5. That the clerks of the committee on ways and means be allowed the following per diem: Mrs. Charlton, \$4; Mr. Moore, \$8; Mr. Hamaker, \$8.

6. That the clerk of the committee on judiciary be allowed the following per diem: Carrie D'Arcy, \$5.

7. That the clerks of the committee on assessment and taxation be allowed the following per diem: Myra Raymond, chief clerk, \$5; Arthur Benson, \$4.

8. That the clerk of the committee on Indian affairs be allowed the following per diem: Emma L. Murphy, \$3.

9. That the clerk of the committee on railroads and transportation be allowed the following per diem: W. M. Rasmus, \$3.

10. That the clerks of the committee and joint committee on printing be allowed the following per diem: House printing committee, Maud Morrison, \$3; house joint printing committee, Mr. Swope, expert, \$8; house joint printing committee, A. Hofer, clerk, \$4.

11. That the clerk of the committee on resolutions be allowed the following per diem: Mrs. Moda Silverstein, \$3.

12. That the clerk of the committee on federal relations be allowed the following per diem: Miss Mary Payne, \$3.

13. That the clerks of the asylum special committee be allowed the following per diem: Mr. Netz, expert, \$7; F. N. Jones, expert, \$7.

14. That the clerks of the committee on elections be allowed the following per diem: Robert C. Wright, chief clerk, \$6; Jacob Beck, assistant clerk, \$5; Miss Southwick, \$5.

15. That the clerk of the Multnomah delegation be allowed the following per diem: Miss Ella M. Bills, \$5.

16. That the clerk of the committee on banking and insurance be allowed the following per diem: Mr. A. A. Lindsley, \$3.

17. That the clerk of the committee on salaries and mileage be allowed the following per diem: \$3.

18. That the clerks of the committee on enrolled bills be allowed the following per diem: L. L. Shaw, \$5; Nellie J. Lottritz, \$3; L. Lewis, \$3; W. A. Robbins, \$3.

19. That the clerk of the committee on claims be allowed the following per diem: Miss Louise Newland, \$3.

20. That the clerk of the committee on counties be allowed the following per diem: Mrs. Rose F. Roberts, \$3.

21. That the clerk of the committee on military affairs be allowed the following per diem: Nellie Staver, \$3.

22. That the clerk of the committee on medicine and pharmacy be allowed the following per diem: Miss Nora Conyers, \$3.

23. That the clerks of the joint committee appointed for the purpose of making an examination of the books, papers and records of the secretary of state's office be allowed the following per diem: Mr. A. T. Waln, \$6; Miss Florence Smith, \$5.

24. That the clerk of the committee on salaries of state and county officers be allowed the following per diem: E. E. Schellberg, \$3.

25. That the clerk of the committee on horticulture be allowed the following per diem: J. A. Powell, \$3.

26. That the clerks of the committee on fisheries and game be allowed the following per diem: Miss Agnes Wilson, \$3; George Nixon, \$3.

27. That the clerk of the committee on manufactures be allowed the following per diem: Mr. Walters, \$3.

28. That the clerk of the committee on roads and highways be allowed the following per diem: C. N. Wonacott, \$3.

29. That the clerk of the committee on commerce be allowed the following per diem: G. H. Taylor, \$3.

30. That the clerk of the committee on education be allowed the following per diem: Mrs. Ella E. Goodin, \$3.

31. That the clerk of the committee on public lands be allowed the following per diem: Mr. R. B. Virtue, \$3.

32. That the clerk of the committee on food and dairy products be allowed the following per diem: J. M. Sommers, \$3.

33. That the clerk of the committee on corporations be allowed the following per diem: T. C. Geer, \$3.

34. That the clerk of the committee on internal improvements be allowed the following per diem: Walter Davis, \$3.

We further recommend that each member of the house of representatives be allowed \$3 per day for 20 days, September 26, 1898, to October 15, inclusive.

GEO. P. TOPPING,  
Chairman.

Mr. Beach moved that the clerk of the Multnomah delegation be allowed \$5 per day.

The motion prevailed.

Mr. Whalley moved that the clerk of the committee on judiciary receive \$5 per day.

The motion prevailed.

Mr. Hobkirk, chairman of committee on commerce, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker:*

Your committee on commerce, to whom was referred senate bill No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

PETER HOBKIRK,  
Chairman.

Mr. Whalley introduced house concurrent resolution No. 21.

#### HOUSE CONCURRENT RESOLUTION NO. 21.

*Be it resolved by the house, the senate concurring,* That a joint committee of three from the house and two from the senate be appointed to investigate and report at the regular session on the best method conducive for the "school of deaf-mutes" and the "school for the blind," and that said committee be allowed necessary clerical aid.

On motion, the resolution was adopted.

Mr. Hill, chairman of committee on elections, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 12, 1898. }

*Mr. Speaker:*

Your committee on elections, to whom was referred the contest cases coming before the legislative assembly from the counties of Polk and Clackamas, respectfully beg leave to report that we have held several sessions and that there have appeared before us the contestants, in person and by counsel, and that we have heard arguments of counsel for the contestees, and we have had submitted to us a number of affidavits coming from Polk county, and none from Clackamas county, nor any other kind of evidence, excepting only the affidavits referred to. Counsel submits that witnesses should be called and that the committee should have an opportunity of examining them, as well as of examining judges of election, pollbooks, ballots and everything that can be examined bearing upon these cases. Your committee are well aware that the shortness of time and the pressure of public business preclude the possibility of our being able to conform to the wishes of counsel, as above expressed, and if it were possible to do so the expense to the state would amount to a very large sum of money. Your committee are actuated only by a sincere desire to do justice to all parties and to recommend that the seat in the halls of legislation be opened to him and to him only, who is entitled to the same. With this end in view, we feel that a full and complete investigation should be made, and in order to do so this committee should be permitted to continue its sessions and to report to this legislative assembly on the first day of the next regular session. We, therefore, respectfully request and recommend that this committee be required, authorized and empowered to make a full and complete investigation in both of the contest cases above referred to, and proceed to collect such evidence bearing on the case as they may be able to collect, and that they be allowed such clerical assistance as may be necessary, and that they be required to report on the first day of the next regular session of the legislature.

GEORGE B. HILL,  
Chairman.

On motion, the report was adopted.

Mr. Stanley, chairman of the committee on railways and transportation, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 13, 1898. }

*Mr. Speaker :*

Your committee on railways and transportation, to whom was referred house bill No. 47, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do not pass for the following reasons:

1. The lower berths are always taken by long distance travelers. The uppers are reserved for parties getting on at way points, hence the upper berths should be ready for immediate occupation with the least possible disturbance to the occupant of the lower berth.

2. The upper berths are really a protection from draughts, noise, dust and fine cinders that may be forced through the ample ventilators in the roof above.

3. For the safety of the public.

As a measure of safety, the upper berth, securely fastened down with the wire cables provided for that purpose, is a protection to the occupant of the lower berth in case of derailment of the cars or other accident to the train.

F. S. STANLEY,  
 Chairman.

On motion, the report was adopted.

It was moved by Mr. Moody that the clerk be instructed to read no more house bills at this session.

The motion prevailed.

The joint committee appointed to investigate the Oregon insane asylum submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 12, 1898. }

*Mr. Speaker :*

Your committee appointed to examine into and report upon the condition of the Oregon state insane asylum, and to investigate the books and accounts thereof, beg leave to report that inasmuch as the institution has not been investigated for four years, there is a large amount of detail work to be performed which your committee wish to perform carefully; further, as it is contemplated to consolidate two of the state institutions, viz., the deaf-mute school and the blind school, and to take one of the buildings which will be thereby vacated and use the same

for the accommodation of some of the inmates of the asylum, thereby relieving the congested condition of the latter institution, your committee feel it to be their duty to become fully advised upon these proposed changes. We would, therefore, respectfully ask leave to continue our labors and be permitted to report at the next regular session of the legislature.

GEORGE H. HILL,

Chairman of the house committee.

T. C. TAYLOR,

Chairman of the senate committee.

On motion, the report was adopted.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 19, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 55, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house

bill No. 60, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house concurrent resolution No. 18, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house concurrent resolution No. 20, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Senate bill No. 12, being the special order for 10:30 o'clock a. m., was taken up.

Mr. Roberts moved that the bill be indefinitely postponed.

The motion prevailed by a vote of 27 to 24.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted house concurrent resolution No. 19, with the following amendment:

AMENDMENT.

“ *Resolved*, That joint rule No. 11 be amended so as to read as follows: No bill which shall have passed one house shall be sent

for concurrence to the other on either of the last two days of the session; *provided, however*, this rule shall not apply to the general appropriation bill."

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

On motion, the amendment was concurred in.

Mr. Lewis, chairman of the committee on public library, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 14, 1898.

*Mr. Speaker:*

Your committee on public library would respectfully report that we have carefully examined the state library and find it in excellent condition and well kept in every way, its wealth of useful books being arranged in a manner best suited to the convenience of the officials and others who utilize them for reference and study. We find that Mr. J. B. Putnam, state librarian, is a faithful, prompt, industrious and courteous officer, who gives his full time and earnest care to the protection of this grand property of the state of Oregon, and the accommodation of the public for whom the library is maintained. We find that some additional shelving is needed immediately, for the proper keeping and preservation of valuable books now on hand, stowed away in piles, and such books as may be added in the near future. The committee on ways and means, whose attention is called to these requirements, will doubtless provide for them. The arrangements for lighting the library at night need readjustment, and should receive attention as soon as practicable. Your committee finds that indebtedness has been incurred for the proper conduct of the library during 1897 and 1898, for which no appropriation was made, in the total sum of \$1,033.23, which sum has been properly certified to the committee on ways and means.

ABNER LEWIS,  
Chairman.

On motion, the report was adopted.

#### TABLE

Showing indebtedness incurred by standing subscription for the state library for the years 1897 and 1898:—

The Bancroft-Whitney Company.....	\$ 67 50
Central Law Journal.....	10 00
Albany Law Journal.....	10 80
The Review Publishing Company.....	10 00
Callaghan and Company.....	25 00
The F. and J. W. Johnson Company.....	15 00

The Lawyers' Coöperative Publishing Company .....	\$ 50 00
The Edward Thompson Company .....	28 50
George R. Wickie and Company .....	36 00
The Hine Insurance Publishing Company .....	12 00
The Boston Book Company .....	143 28
James F. White and Company .....	20 00
Publishers' Weekly .....	5 00
The Ballard Publishing Company .....	6 50
L. P. McCarty .....	3 50
Medico-Legal Journal .....	3 00
The West Publishing Company .....	400 00
The Oregonian (Sunday and daily editions) .....	20 80
The Capital Journal .....	12 00
The Scio Press .....	6 50
The Weekly Dispatch .....	3 00
The Oregon Statesman (daily) .....	12 00
Telephone Company .....	182 75
<b>Total .....</b>	<b>\$ 1,083 23</b>

The speaker announced he was about to sign house concurrent resolutions Nos. 18 and 20, and house bills Nos. 19, 60 and 55.

The speaker announced that he had signed house concurrent resolutions Nos. 18 and 20, and house bills Nos. 19, 60 and 55.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed senate joint resolution No. 9, authorizing the secretary of state to print five hundred extra copies of his biennial report.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

#### SENATE JOINT RESOLUTION NO. 9.

Whereas, the forthcoming biennial report of the secretary of state, H. R. Kincaid, for the years 1897 and 1898, will contain as an appendix, a list of names of all the governors and other officers, and all the territorial delegates and senators and representatives in congress of the territory and state of Oregon, from 1823 to the present time, with brief biographical sketches of each, and a list of names of all the superintendents and principal officers of territorial and state institutions, and members of all the territorial and state legislative assemblies, and other historical matter, much of which would have been lost if not collected now from those who are rapidly passing away, making it the most valuable book for reference ever published of the early history of Oregon; and

Whereas, a great amount of care and labor, not required by law, has been given in the collection of materials from incom-

plete records and in correspondence with those who took part in the transactions described or with their friends or relatives who survive them, without any cost to the state; therefore, be it

*Resolved by the senate, the house concurring,* That H. R. Kincaid, secretary of state, be and he is hereby authorized and directed to have 500 extra copies of his biennial report for the years 1897 and 1898, and the appendix thereto, printed and bound, without the abstract of warrants, the same to be delivered to him for distribution.

Mr. Moody moved that the house concur in the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hobkirk, Jones, Knight, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker—49.

Nays—Mr. Thompson of Washington—1.

Absent—Messrs. Beach, Fordney, Hawson, Hill, Kruse, Lamson, McCourt, Myers, Stanley and Young—10.

So the resolution was concurred in.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
October 14, 1898. }

*To the honorable the speaker of the house:*

I am directed by the governor to inform you that he has approved and signed the following bills: House bills Nos. 68 and 70.

W. S. DUNNIWAY,  
Private secretary.

Senate bill No. 58 was read first time.

Mr. Freeland moved that the rules be suspended and that senate bill No. 58 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts,

Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 55.

Nays — None.

Absent — Messrs. Beach, Hawson, Kruse, McCourt and Thompson of Washington — 5.

So the rules were suspended and senate bill No. 58 was read second time by title only.

Mr. Freeland moved that the rules be further suspended and that senate bill No. 58 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCourt, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 56.

Nays — None.

Absent — Messrs. Beach, Hawson, Kruse and Thompson of Washington — 4.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 55.

Nays — None.

Absent — Messrs. Beach, Kruse, Hawson, McCourt and Thompson of Washington — 5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following substitute was offered for house concurrent resolution No. 19:—

## SUBSTITUTE.

*Resolved*, That joint rule No. 11 be amended so as to read as follows: No bill which shall have passed one house shall be sent for concurrence to the other on either of the last two days of the session; *provided, however*, this rule shall not apply to the general appropriation bill.

On motion, the substitute was adopted.

Mr. Hall, chairman of the committee on revision and correction of the journal, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon, }  
October 12, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of the journal beg leave to report that we have examined the journal of October 10 and find the same correct so far as we could verify it.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

Mr. Hall, chairman of the committee on revision and correction of the journal, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon, }  
October 13, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of journal beg leave to report that we have examined the journal of October 11, caused slight corrections to be made therein and believe the same to be correct.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

Mr. Hall, chairman of the committee on revision and correction of journal, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of journal beg leave to report that we have examined the journal of October 12 and find the same correct so far as we could verify it.

J. E. HALL,  
Chairman.

On motion, the report was adopted.

Mr. Topping moved that the mileage of Mr. Smith of Umatilla county, be 618 miles in order to conform to facts.

The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 10.

*Resolved by the senate, the house concurring,* That we learn with sincere regret of the sudden death at Omaha, Nebraska, early in the morning of Thursday, October 13, 1898, of the devoted wife of Hon T. T. Geer, governor-elect of this state, and do hereby express our profound sympathy with the stricken husband and family in their bereavement; that the president of the senate and the speaker of the house of representatives are directed to wire this resolution to Hon. T. T. Geer, at Omaha, Nebraska.

On motion, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 11.

Whereas, the committee appointed under house concurrent resolution No. 8, to investigate the Loewenberg contracts, as treated in the governor's message, has found on examination that it would be impossible for it to complete its labors and properly report at this session, it has been deemed necessary by such committee to make its report at the session of the legislature in January next; now, therefore, be it

*Resolved by the senate, the house concurring,* That the committee appointed under house concurrent resolution No. 8 be permitted to make its report at the regular session of the legislature in January, 1899, and that it be and is hereby authorized to sit in the meantime, and that it be further authorized and empowered to issue citations to and compel the attendance of such person or persons as to it seems necessary, and that it be further authorized to issue such subpoenas as will bring before it such books and papers as it may deem necessary for a proper and complete examination of the matter before it. And the committee is further authorized to employ such clerical aid as may be necessary.

On motion, the resolution was concurred in.

SENATE JOINT MEMORIAL No. 1.

*To the congress of the United States :*

We, your memorialists, respectfully represent that during the years 1847 and 1848, and from 1850 to 1857, war was made upon the white settlers of the territories of Oregon, Washington, Idaho and Northern California, which, though known as the Cayuse war of 1847 and 1848, and the Rogue river disturbance of 1851, 1852, 1853 and 1854, and the Rogue river Indian wars of 1855

and 1856, respectively, was in fact a collusive effort on the part of all the Indian tribes of the north Pacific coast to exterminate the American settlements. During these dark days of the little colony on this coast 1,800 men, women and children were brutally murdered by these Indians. The territorial authorities called out a volunteer force who, in the main, furnished their own horses, guns and ammunition. They were poorly clad and often went without food. Forty and fifty years have come and gone since these memorable struggles, in which over one hundred battles were fought and the very existence of the early settlers was threatened. All told, 7,000 of these brave pioneers were at one time or another enlisted in defence of this land, and most of them have gone to their long homes. The remnant, a relic of the past, are aged and infirm and many of them poor and destitute. It is most unjust that the valor and sacrifices of these veterans should not be recognized by the general government, while those who fought in other Indian wars have been paid as well as pensioned by the United States. Therefore, in the name of justice and humanity, we plead for just recognition of the services of these worthy veterans, and we earnestly ask the honorable the speaker and members of the house of representatives of the United States to pass, at the next session of congress, senate bill No. 344, which passed the United States senate during the second session of the fifty-fifth congress, granting pensions to the veterans of the Indian wars above mentioned, and of other Indian wars designated in said senate bill. Their claim is a just one and appeals to every patriotic citizen of America. This government never had more loyal citizens, truer friends or more heroic and nobler defenders than these pioneers and veterans. Therefore, be it

*Resolved*, That the secretary of state be instructed to forward a copy of this memorial to our senators and representatives in congress, with the request that they use every honorable means to secure the passage of said bill.

On motion, the memorial was adopted.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 34, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 50, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 64, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 77, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 58.

And the same is herewith returned to you for enrollment.

S. L. MOORHEAD,  
Chief clerk.

Mr. Moody moved that the journal of yesterday show that the house adjourned out of respect to the memory of Hon. Benj. Stark, a former United States senator from Oregon, whose death was announced that day, and that the committee appointed to draft resolutions on the death of Mrs. Geer, also draft resolutions on the death of the dead pioneer.

The motion prevailed.

On motion of Mr. Ross, the house adjourned until 2 o'clock p. m. today.

#### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 14, 1898. }

The house was called to order at 2 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Conn, Cummings, Fordney, McCourt and Moody.

The speaker called attention of the members to the fact that the remains of Mrs. T. T. Geer, late wife of the governor-elect, would arrive at Salem, Sunday next at 11 o'clock a. m. and be conveyed to Macleay, where funeral services were to be held.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 12, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 36, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. Maxwell introduced house resolution No. 35.

HOUSE RESOLUTION NO. 35.

Whereas, R. R. Hays was chief clerk of what was known as the Benson house of the nineteenth biennial session of the legislative assembly of the state of Oregon; and

Whereas, R. R. Hays died in Tillamook county on or about the tenth day of December, 1897, leaving a wife and several children, and that it would be a great saving to the family if the pay due the said R. R. Hays for said services as chief clerk was made to some member of the family; therefore, be it

*Resolved*, That the chief clerk be and he is hereby directed and required to issue a voucher to Ella R. Hays, widow of R. R. Hays, as chief clerk of the Benson house of the nineteenth biennial session of the legislative assembly of the state of Oregon.

On motion, the resolution was adopted.

Mr. Hill introduced house resolution No. 36.

HOUSE RESOLUTION NO. 36.

Whereas, certain committee clerks were actually employed several days prior to the days they were sworn in; be it

*Resolved*, That said clerks shall receive compensation for each day they were actually employed, the time to be certified to by the chairman of the committee by which they were employed, irrespective of the date they were sworn in.

On motion, the resolution was adopted.

Mr. Stanley introduced house resolution No. 37.

HOUSE RESOLUTION NO. 37.

*Resolved*, That the house of representatives of the special session of the legislative assembly of the state of Oregon desires to express its hearty and unqualified approbation and appreciation of the able, fair and impartial manner in which the speaker of this house, the Hon. E. V. Carter, has discharged the arduous and important duties of his office, and the members of the house, by this resolution, express their appreciation and thanks for the unvarying courtesy, patience and kindness which he has at all times manifested to each one and all; and be it further

*Resolved*, That the resolution be spread on the journal of the house.

On motion, the resolution was adopted.

Senate bill No. 62 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Bayer, Fordney, Kruse and McCourt—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 19 was read first time.

Mr. Stillman moved that the rules be suspended and that senate bill No. 19 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Conn, Kruse, McAlister and McCourt—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Flagg moved that senate bill No. 19 be referred to the committee on penal, reformatory and charitable institutions.

Mr. Stillman moved that the rules be suspended and that senate bill No. 19 be considered engrossed, read third time now and placed on final passage.

Mr. Ross moved that senate bill No. 19 be indefinitely postponed.

The amendment was lost.

Mr. Stillman's amendment was lost.

Mr. Flagg's motion prevailed, and senate bill No. 19 was referred to the committee on penal, reformatory and charitable institutions.

The speaker announced that he was about to sign house bills Nos. 36, 12, 34, 50, 64 and 77.

The speaker announced that he had signed house bills Nos. 36, 12, 34, 50, 64 and 77.

Senate bill No. 34 was read first time.

Mr. Grace moved that the rules be suspended and that senate bill No. 34 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Marsh, Massingill, Maxwell, McAlister, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—56.

Nays—None.

Absent—Messrs. Conn, Fordney, Kruse and McCourt—4.

So the rules were suspended and senate bill No. 34 was read second time by title only and referred to the committee on printing.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 19.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 55.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

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MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 60.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 5 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 48 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 57 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 68 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house concurrent resolution No. 18.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house concurrent resolution No. 20.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 12.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

Mr. Stillman, chairman of the committee on public lands, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }

SALEM, Oregon,

October 13, 1898. }

*Mr. Speaker:*

Your committee on public lands, to whom was referred house bill No. 20, beg leave to report that we have had the same under consideration, and respectfully report it back to the house without recommendation.

A. D. STILLMAN,

Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 14, 1898. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred house bill No. 27, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
 Chairman.

The speaker announced that he was about to sign senate bills Nos. 57, 48 and 68, and senate joint resolution No. 5.

The speaker announced that he had signed senate bills Nos. 57, 48 and 68, and senate joint resolution No. 5.

The speaker announced that he was about to sign house bill No. 27.

The speaker announced that he had signed house bill No. 27.

Mr. Williamson moved that the house adjourn to 10 o'clock a. m. tomorrow.

The motion was lost.

Mr. Stillman moved that the house adjourn to 4:30 o'clock p. m. today.

The motion was lost.

Mr. Ross moved that the house adjourn to 7:30 o'clock this evening.

The motion prevailed.

A. C. JENNINGS,  
 Chief clerk.

## EVENING SESSION.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 October 14, 1898. }

The house was called to order at 7:30 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Blackaby, Hawson, Kruse, Marsh, Massingill, Platts, Stillman, Topping, Thompson of Washington, Donnelly, Maxwell, McAlister, McCourt, Moody, Morton, Ross, Smith, Stewart, Whitney, Stump and Wilson.

No quorum.

The roll was again called, and there being a quorum present, Mr. Flagg asked that senate bill No. 49 be taken up, which was done.

Senate bill No. 49 was read first time.

Senate bill No. 49 coming on for second reading, Mr. Stillman moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Maxwell, McAlister, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stillman, Thompson of Clackamas, Virtue, Whalley, Williamson, Wilson, Wonacot and Mr. Speaker—48.

Nays—None.

Absent—Messrs. Blackaby, Kruse, Marsh, Massingill, McCourt, Moody, Stewart, Stump, Thompson of Washington, Topping, Whitney and Young—12.

So the rules were suspended and senate bill No. 49 was read second time by title only and referred to the committee on education.

Mr. Flagg moved that the rules be further suspended and that senate bill No. 49 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Maxwell, McCulloch, McQueen, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blackaby, Brattain, Kruse, Marsh, Massingill, McAlister, McCourt, Moody, Ross, Stump and Thompson of Washington—11.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Maxwell, McAlister, McCulloch, McQueen, Morton, Myers,

Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blackaby, Brattain, Kruse, Marsh, Massingill, McCourt, Moody, Ross, Stump and Thompson of Washington—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate joint memorial No. 1 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate joint memorial No. 9 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate concurrent resolution No. 9 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate con-

current resolution No. 10 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 11 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 58 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 27.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 34.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 36.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 50.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 64.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 77.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that senate bill No. 47 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,

Chief clerk.

Mr. Ross moved that house concurrent resolution No. 22 be taken from the table.

The motion prevailed.

On motion, the resolution was adopted.

The speaker announced that he was about to sign senate bill No. 47.

The speaker announced that he had signed senate bill No. 47.

Mr. Stewart, chairman of the committee on agriculture, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on agriculture, to whom was referred senate bill No. 34, beg leave to report that we have had the same under consideration, and respectfully report it back to the house with the recommendation that it do pass.

MATTHEW STEWART,  
Chairman.

Mr. Grace moved that the rules be suspended and that senate bill No. 34 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Freeland, Grace, Gray, Gregg, Hall, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Maxwell, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker—50.

Nays—None.

Absent—Messrs. Hawson, Kruse, Marsh, Massingill, McAlister, McCourt, Ross, Stump, Thompson of Washington and Topping—10.

So the rules were suspended and the bill considered engrossed, read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Brattain, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland,

Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Maxwell, McCulloch, McQueen, Moody, Morton, Myers, Nichols, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Thompson of Clackamas, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott, Young and Mr. Speaker — 51.

Nays — Mr. Fordney — 1.

Absent — Messrs. Kruse, Marsh, Massingill, McAlister, McCourt, Palmer and Thompson of Washington — 7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The speaker announced that he was about to sign senate joint resolution No. 9.

The speaker announced that he had signed senate joint resolution No. 9.

The speaker announced that he was about to sign senate concurrent resolutions Nos. 9, 10 and 11, senate joint memorial No. 1 and senate bill No. 58.

The speaker announced that he had signed senate concurrent resolutions Nos. 9, 10 and 11, senate joint memorial No. 1 and senate bill No. 58.

Mr. Stanley introduced house resolution No. 38.

#### HOUSE RESOLUTION NO. 38.

*Resolved*, That the secretary of state be and hereby is instructed to furnish to each member of the house one bound copy of the session laws and one bound copy of the house and senate journals of this special session of the Oregon legislature as soon as the same are printed.

On motion, the resolution was adopted.

Mr. Sherwin introduced house resolution No. 39.

#### HOUSE RESOLUTION NO. 39.

*Resolved*, That a vote of thanks be tendered Mr. Frank Motter for the clear, concise and expeditious manner in which he has transacted the business as reading clerk of the house at this session.

On motion, the resolution was adopted.

Mr. Curtis introduced house resolution No. 40.

#### HOUSE RESOLUTION NO. 40.

*Resolved*, That the thanks of the house be extended to the press of Oregon, particularly to the Oregonian, Telegram, Capital Journal and Salem Statesman, for the fair and impartial reports

they have made of the proceedings of the house during the special session of the legislature.

On motion, the resolution was adopted.

#### HOUSE JOINT RESOLUTION NO. 15.

Whereas, the accoustics of the hall of representatives is such that it is difficult to transact business of state with satisfaction and dispatch; be it

*Resolved*, That the board of capitol building commissioners be authorized to procure plans and specifications and contract for the improvement of the hall of representatives by constructing a ceiling therein; and that the committee on ways and means are hereby instructed to insert an appropriation of \$8,000 in the appropriation bill to pay the expenses of the same.

Mr. Hill moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Blackaby, Briggs, Butt, Conn, Cummings, Curtis, Davis, Donnelly, Farrell, Flagg, Fordney, Free-land, Grace, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Knight, Lamson, Lewis, Maxwell, McCourt, McCulloch, McQueen, Myers, Nichols, Palmer, Platts, Reeder, Roberts, Ross, Sherwin, Smith, Stanley, Stewart, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wonacott, Young and Mr. Speaker—53.

Nays—Messrs. Moody, Morton and Wilson—3.

Absent—Messrs. Kruse, Marsh, Massingill and McAlister—4.  
So the resolution was adopted.

Mr. Lewis, chairman of special committee under senate concurrent resolution No. 2, to examine the books and accounts of the secretary of state, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr Speaker:*

Your committee appointed under senate concurrent resolution No. 2, to examine the books and accounts of the secretary of state, beg leave to report that we met, and in accordance with the authority granted in said resolution employed two competent experts and two clerks.

That said clerks have made a thorough examination of each voucher upon which warrants were issued during the years 1895 and 1896 and compared each voucher as to amount with the abstract of warrant and with the stubbooks of warrants issued;

that they have carefully checked the abstract of warrants with the stub fundbook and ledger and declare to us that after making proper balances and proving the additions, they find the books in all things correct and the balances properly reported in the biennial report of the secretary of state for the term ending December 31, 1896; that they have examined the vouchers on file and find each voucher properly sworn to and warrant receipted for, and that in all things they found the books correct and without an error; that during the years 1895 and 1896 12,012 warrants were issued as shown by the stubbooks and abstract, showing a marked increase in the business of the office over that of the two preceding years, as the number of warrants for the two years last named is shown to be 9,924.

We find the records in the secretary's office in first-class condition and correctly and skilfully kept, and his clerical force attentive, courteous and competent. The secretary of state has been very desirous of having a complete and thorough examination made of the books of his office, and the chief clerk, Mr. Frank K. Lovell, has cheerfully furnished all books, papers and assistance necessary to aid us in this work.

ABNER LEWIS,  
Chairman.

On motion of Mr. Lewis, the report was adopted.  
Mr. Topping introduced house resolution No. 41.

#### HOUSE RESOLUTION NO. 41.

Whereas, the joint committee on printing were compelled to employ an expert clerk in order to facilitate the expediting of the books of the state printer;

*Resolved*, That the salary of said chief clerk, Mr. Hofer, be fixed at \$6 per day.

On motion, the resolution was adopted.

Mr. Young, chairman of the committee on salaries of officers, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

Your committee on salaries of officers beg leave to submit the following as compensation to be received by the officers of this house: Chief clerk, \$12 per day; assistant chief clerk, \$10 per day; reading clerk, \$10 per day; calendar clerk, \$10 per day; sergeant-at-arms, \$8 per day; mailing clerk, \$6 per day; door-keeper, \$6 per day; three pages each, \$3 per day.

JOHAN E. YOUNG,  
Chairman.

Mr. Young moved the adoption of the report.

On this question the roll was called and the vote was:

Those voting aye were —

Messrs. Bayer, Beach, Blackaby, Briggs, Butt, Curtis, Donnelly, Freeland, Hawson, Hill, Lamson, Massingill, Maxwell, Moody, Myers, Roberts, Ross, Smith, Stewart and Young — 20.

Nays — Messrs. Brattain, Conn, Cummings, Davis, Farrell, Flagg, Fordney, Grace, Gray, Gregg, Hall, Hobkirk, Jones, Knight, Lewis, Marsh, McCourt, McCulloch, McQueen, Morton, Nichols, Palmer, Platts, Reeder, Sherwin, Stillman, Stump, Thompson of Clackamas, Thompson of Washington, Topping, Virtue, Whalley, Whitney, Williamson, Wilson, Wonacott and Mr. Speaker — 37.

Absent — Messrs. Kruse, McAlister and Stanley — 3.

So the resolution was lost.

Mr. Butt moved that the chief clerk be allowed \$10 per day; assistant clerk, \$7.50 per day; calendar clerk, \$7.50 per day; reading clerk, \$7.50 per day; mailing clerk, \$5 per day; doorkeeper, \$6 per day; sergeant-at-arms, \$6 per day; pages, \$2.50 per day.

Mr. Moody moved the following amendment: Assistant clerk, \$8 per day; calendar clerk, \$8 per day; reading clerk, \$8 per day; mailing clerk, \$6 per day; doorkeeper, \$6 per day; sergeant-at-arms, \$6 per day; four pages, each, \$3 per day.

Mr. Butt accepted the amendment, and the motion, as amended, prevailed.

Mr. Myers moved that the house adjourn to 10 o'clock tonight.

Mr. Roberts moved to amend, making the hour 9 o'clock.

Mr. Stillman moved to amend the amendment, making the hour 11 o'clock.

The amendment to the amendment was lost.

The amendment was lost.

The motion was lost.

Mr. Young moved to take a recess until 9 o'clock this evening.

The motion prevailed.

The house was called to order at 9 o'clock p. m. by the speaker.

Mr. Hawson moved that the house adjourn to 8 o'clock a. m. tomorrow.

The motion prevailed.

A. C. JENNINGS,  
Chief clerk.

SATURDAY, OCTOBER 15, 1898.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 15, 1898. }

The house was called to order at 8:20 o'clock a. m. by the speaker.

The roll was called, and all the members were present except Messrs. Jones, Kruse, McAlister, McCourt, Reeder and Wilson.

On motion of Mr. Myers, the reading of the journal was dispensed with.

Mr. Curtis introduced house joint resolution No. 16.

HOUSE JOINT RESOLUTION NO. 16.

*Resolved*, That the secretary of state be and he is hereby authorized to have published 1,000 copies of the fish laws of the state of Oregon, to be distributed under the direction of the state fish commissioner, for information of those engaged in the fishing industry of the state.

Mr. Myers moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Briggs, Butt, Conn, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Massingill, Moody, Morton, Myers, Platts, Roberts, Ross, Stanley, Stillman, Thompson of Washington, Topping, Whalley, Young and Mr. Speaker—31.

Nays—Messrs. Blackaby, Brattain, Cummings, Fordney, Grace, Knight, Lamson, Maxwell, McCulloch, McQueen, Nichols, Palmer, Reeder, Sherwin, Smith, Stewart, Stump, Virtue, Whitney, Williamson, Wilson and Wonacott—22.

Absent—Messrs. Jones, Kruse, Lewis, Marsh, McAlister, and McCourt —6.

Not voting—Mr. Thompson of Clackamas—1.

So the resolution failed to pass.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 15, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 1, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

The speaker announced that he was about to sign house bills Nos. 1 and 58.

The speaker announced that he had signed house bills Nos. 1 and 58.

Mr. Reeder moved to reconsider the vote on house joint resolution No 16.

Messrs. Moody and Roberts demanded a call of the house.

The roll was called, and the following members were absent: Messrs. Kruse, McAlister and McCourt.

On motion of Mr. Roberts, further proceedings under call of the house were dispensed with.

Mr. Reeder's vote to reconsider the vote on house joint resolution No. 16 prevailed.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Bayer, Beach, Briggs, Butt, Curtis, Davis, Donnelly, Farrell, Flagg, Freeland, Gray, Gregg, Hall, Hawson, Hill, Hobkirk, Jones, Lamson, Marsh, Massingill, Maxwell, Moody, Morton, Myers, Reeder, Roberts, Ross, Sherwin, Stanley, Stewart, Stillman, Thompson of Clackamas, Thompson of Washington, Topping, Whalley and Mr. Speaker—36.

Nays—Messrs. Blackaby, Brattain, Conn, Cummings, Fordney, Grace, Knight, Lewis, McCulloch, McQueen, Nichols, Palmer, Platts, Smith, Stump, Virtue, Whitney, Williamson, Wilson and Wonacott—20.

Absent—Messrs. Kruse, McAlister, McCourt and Young—4.  
So the resolution was adopted.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 15, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house

concurrent resolution No. 19, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 58, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

The speaker announced that he was about to sign house concurrent resolution No. 19 and senate bill No. 34.

The speaker announced that he had signed house concurrent resolution No. 19 and senate bill No. 34.

Mr. Flagg moved that the house reconsider its vote on the resolution to adjourn at 11 o'clock a. m.

The motion prevailed.

Mr. Flagg moved that the house do not concur in said resolution.

The motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 42, with the following amendment:—

AMENDMENT.

In line 2 of section 5, strike out "the sum \$18,000" and insert in lieu thereof "the sum of \$15,000."

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

On motion of Mr. Stanley, the amendment was concurred in.  
Mr. Curtis introduced house resolution No. 42.

## HOUSE RESOLUTION NO. 42.

*Resolved*, That recognizing the ability and able manner in which the speaker, chief clerk, assistant clerk, reading clerk, calendar clerk, mailing clerk and the various committees have performed their duties at the special session of the legislature, that we recommend to the house at its regular session that all of the above officers and committees be retained as officers and committees of the regular session.

On motion, the resolution was adopted.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate bill No. 34 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,

Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate bill No. 49 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,

Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 14, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that senate bill No. 62 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

S. L. MOORHEAD,

Chief clerk.

The speaker announced that he was about to sign senate bills Nos. 49 and 62.

The speaker announced that he had signed senate bills Nos. 49 and 62.

Mr. Hall, chairman of the committee on revision and correction of the journal, submitted the following report: —

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

Your committee on revision and correction of the journal beg leave to report that we have examined the journal of October 13 and believe the same to be correct.

J. E. HALL,  
Chairman.

By consent, the report was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 14, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 83, with the following amendments hereto attached:

AMENDMENT.

Add to line 27 of printed bill, the following: "*Provided, however, that hereafter no more than 150 copies each of the Oregon supreme court reports shall be printed by the state printer.*"

AMENDMENT.

Strike out all of line 38, printed bill, after "\$1,100"; also strike out all of lines 39, 40, 41 and 42, and insert the following: "The painting to be let by contract and to be under the supervision of the board of public building commissioners, \$4,440."

AMENDMENT.

Strike out of line 55, printed bill, the figures "\$21,052.89" and insert in lieu thereof the figures "\$18,000 (\$18,900)."

AMENDMENT.

Strike out in line 57 the figures "7,750" and insert in lieu thereof the figures "4,450."

AMENDMENT.

Strike out all of lines 60, 61, 62 and 63; also all of lines 97 and 98.

AMENDMENT.

Insert in line 102, after the word "county" the words "in full of all demands"; also strike out in same line the figures "\$6,696.89" and insert in lieu thereof the figures "\$500."

## AMENDMENT.

Strike out all of lines 170, 171, 172 and 173, and insert in lieu thereof the following: "For the expenses of the nineteenth biennial session of the Oregon legislature as follows: For pay of mileage and per diem of members of the senate, for pay of officers and clerks of the senate, for pay of the mileage and per diem for five days of all members of the house of representatives, for the pay of the officers of both the so-called Benson house and of the so-called Davis house for forty days at the same rate allowed by the senate for like officers, for pay for supplies and for interest on all the above items, \$31,000."

## AMENDMENT.

Strike out all of section 4, and insert in lieu thereof: "The secretary of state is hereby authorized and directed to draw a warrant on a certain fund of originally \$2,000 for payment of claims against the world's fair commission, in the sum of five hundred (\$500) dollars in favor of George T. Myers, as a testimonial for the services of the said George T. Myers as commissioner for Oregon at the world's fair."

## AMENDMENT.

Insert the following as section 5: "The state printer shall hereafter do no printing for state or district fairs, or any of the agricultural societies of this state, in excess of the amount thereof authorized by law, and no payment shall be made out of the state treasury for any such printing in excess of such amount; nor shall the state printer print in any of the reports, required by law, the list of warrants drawn by the secretary of state, paid by the treasurer."

## AMENDMENT.

Insert the following as section 6: "The secretary of state is hereby authorized to ascertain the practicability of building a new ceiling over the room of the house of representatives with or without rooms above for committees or other purposes, and to ascertain the approximate cost of the same and to report his findings on this subject to the next regular session of the legislature. He is authorized to expend five hundred (\$500) dollars, or so much thereof as may be necessary for the purposes above set forth, and five hundred (\$500) dollars is hereby appropriated for said purpose."

AMENDMENT.

Change the numbers of sections 5 and 6 of printed bill to 7 and 8.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

House bill No. 83 was **taken** up.

Mr. Moody moved that the house go into a committee of the whole for consideration of the bill.

The motion prevailed.

The house went into a committee of the whole **and** Mr. Moody was called to the chair.

AMENDMENT.

The house amends senate amendment No. 7 to house bill No. 83 by striking out all of senate amendment and by inserting in lieu thereof the following: Strike out lines 170, 171, 172 and 173, printed bill, and insert, "For pay of mileage and per diem of each member elected to, of all officers elected or appointed by the senate, and both contesting houses of the nineteenth biennial session of the legislative assembly, and clerks to senate committees and other necessary expenses thereof, with interest on each of the foregoing items; and that the compensation of the officers of each competing house shall be the same as allowed by the senate for similar services, or so much thereof as may be necessary, \$40,000."

AMENDMENT.

The house amends senate amendment No. 10 to house bill No. 83 by striking out said senate amendment and inserting in lieu thereof the following: Amend section 6, to read as follows: "That the secretary of state be instructed to repair the house of the capitol building in accordance with the recommendation in his report by putting in a ceiling and providing committee rooms on the second floor, and that the sum of \$6,000, or so much thereof as may be necessary, be appropriated therefor; that said work be completed before the first day of January, 1899."

The committee arose and the speaker resumed his chair.

Mr. Moody, chairman of the committee of the whole, reported that the house had refused to concur in the first amendment of the senate on house bill No. 83; had concurred in second amendment, also in the third and fourth; had refused to concur in fifth amendment; had concurred in the sixth; had refused to concur in the seventh; had concurred in the eighth as amended; had concurred in the ninth, tenth and last.

On motion, the report was adopted.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 1.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has concurred in house joint resolution No. 16.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 58.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 67.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has concurred in house concurrent resolution No. 22, with the following amendment:

## AMENDMENT.

"*Provided, however, that no committee shall incur any expense during the interim between the adjournment of this special session and the beginning of the next regular session, unless otherwise authorized.*"

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

On motion of Mr. Ross, the amendment was concurred in.

Mr. Curtis, chairman of the committee on resolutions, submitted the following report on the death of Mrs. T. T. Geer:—

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker :*

Your committee on resolutions beg leave to submit the following:

Whereas, the house of representatives has been informed of the death, at Omaha, Nebraska, of the wife of Hon. T. T. Geer, governor-elect of Oregon; therefore, be it

*Resolved by the house of representatives of the state of Oregon,* That we bow in humble submission to Divine will and recognize that there has been removed from our midst one of the noblest women of the state, who, by her kind acts and many noble deeds as a true wife and Christian woman, had endeared herself to the people of the entire state of Oregon;

*Resolved,* That we tender to the bereaved husband and family in this, their hour of grief, sorrow and affliction, this our sincere expression of our heartfelt sympathy;

*Resolved,* That we assure our bereaved governor-elect and his family that every member of the house of representatives is saddened by the severe blow that has come to him in the loss of an honored wife and cherished companion;

*Resolved,* That a copy of these resolutions be entered upon the journal of the house and a copy be suitably engrossed and sent to the bereaved family, and also that a copy be furnished the press for publication.

C. J. CURTIS,  
Chairman.

On motion, the report was adopted.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house concurrent resolution No. 19.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 5.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
October 15, 1898. }

*To the honorable the speaker of the house:*

I am directed by the governor to inform you that he has approved and signed the following bills: House bills Nos. 12, 19, 27, 34, 36, 50, 55, 57, 60, 64 and 77.

W. S. DUNNIWAY,  
Private secretary.

The speaker announced the following committee on revision of the journal at the close of the session: Speaker Carter, Chief Clerk Jennings, Assistant Clerk Snyder, Messrs. Curtis and Flagg.

Mr. Stanley introduced house concurrent resolution No. 23.

## HOUSE CONCURRENT RESOLUTION NO. 23.

*Resolved by the house, the senate concurring,* That a committee of two representatives and one senator be appointed to gather facts and report at the next regular session of this legislature the possibilities of the beet sugar production in Oregon, and what encouragement it is necessary for the state to give to establish and build up this great industry in the state of Oregon, which committee shall serve without cost to the state.

On motion, the resolution was adopted.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 15, 1898. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred house bill No. 42, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

Mr. Whalley moved that the house take a recess till 12 o'clock m.

The motion prevailed.

The house was called to order at 12 o'clock m. by the speaker.

The speaker announced that he was about to sign house bill No. 42.

The speaker announced that he had signed house bill No. 42.

On motion of Mr. McCulloch, the house adjourned to 2 o'clock p. m. today.

A. C. JENNINGS,  
Chief clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 15, 1898. }

The house was called to order at 2:20 o'clock p. m. by the speaker.

The roll was called, and all the members were present except Messrs. Bayer, Davis, Kruse, Lewis, McAlister, McCourt, Stewart and Wilson.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 15, 1898. }

*Mr. Speaker :*

I am directed by the president to inform you that the senate has passed house bill No. 41, with the following amendment:

AMENDMENT.

Add the following section:

"Section 2. That any person violating the provisions of section 1 of this act shall be deemed guilty of a misdemeanor and upon

conviction thereof shall be fined not less than \$25 or imprisoned in the jail of the county in which the offense is committed not less than twelve days, or both."

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

On motion of Mr. Young, the amendment was concurred in.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 42.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 39.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed house bill No. 15, with the following amendment:

#### AMENDMENT.

The word "one" be changed to "three" in section 3, the sixth line from the bottom of the page, and section 2, seventh line from the top of the page, the word "one" changed to the word "three."

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

On motion, the amendment was concurred in.

MESSAGE FROM THE SENATE,

SENATE CHAMBER,

SALEM, Oregon,

October 15, 1898.

*Mr. Speaker:*

I am directed by the president to inform you that the senate has, agreeable to a motion passed by the senate for a conference committee on the amendments to house bill No. 83, appointed Senators Reed and Mackay, and requests the house to appoint two of its members to act in conjunction with the senate members of such committee.

S. L. MOORHEAD,  
Chief clerk.

The speaker announced the appointment of the following members of the conference committee on house bill No. 83: Mr. Moody and Mr. Curtis.

On motion of Mr. Hill, the house took a recess until 3:30 o'clock p. m.

At 4:10 o'clock p. m. the conference committee submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,

SALEM, Oregon,

October 15, 1898.

*Mr. Speaker:*

Your special committee, to whom was referred house bill No. 83, beg leave to submit the following report:—

1. That the position of the house relative to senate amendment No. 1 be sustained; and that the bill, in so far as this amendment is concerned, remain the same as in the original bill.

2. That the position of the house on the amendment to the senate amendment No. 3 to house bill No. 83 be sustained; that is, that the amount to be appropriated for the railroad commissioners and clerks be \$18,900.

3. That the position of the senate on senate amendment No. 5 to house bill No. 83 be sustained.

4. That the matter of the appropriation for John H. Hall be referred to the committee on ways and means of the next regular session, and that the appropriation contained in house bill No. 83 for \$6,696.89, in favor of John H. Hall, be stricken from the bill.

5. That the position of the house relative to senate amendment No. 7 to house bill No. 83 be sustained, and that the amendment of the house to the amendment of the senate relative to this matter be adopted.

6. That the position of the house to senate amendment No. 9 to house bill No. 83 be sustained; and that the amendment of the house relating thereto be adopted, so that the amendment agreed upon shall read as follows: Insert the following as section 5:

Section 5. The state printer shall hereafter do no printing for state or district fairs or any of the agricultural societies of this state in excess of the amount thereto authorized by law and no payment shall be made out of the state treasury for any of such printing in excess of such amount.

7. That section 6 added to house bill No. 83 by the senate be stricken out, and that sections following be numbered consecutively.

A. W. REED,  
Chairman.

On motion, the report was adopted.

Mr. McCulloch, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 15, 1898. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred house bill No. 15, beg leave to report the same back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
October 15, 1898. }

*To the honorable the speaker of the house:*

I am directed by the governor to inform you that he has approved and signed the following bills: House bills Nos. 42 and 58.

W. S. DUNNIWAY,  
Private secretary.

The speaker announced that he was about to sign house bill No. 15.

The speaker announced that he had signed house bill No. 15.

Mr. Hall, chairman of the committee on correction and revision of the journal, submitted the following report:—

REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
October 15, 1898. }

*Mr. Speaker :*

Your committee on correction and revision of the journal beg leave to report that we have examined the journal of October 14 and believe the same correct.

J. E. HALL,  
Chairman.

The speaker appointed the following special committees:—

On house concurrent resolution No. 20—Messrs. Williamson and Stillman.

On house concurrent resolution No. 18—Messrs. Marsh, Nichols and Stewart.

On house joint resolution No. 1—Messrs. Ross, Cummings and Grace.

On senate concurrent resolution No. 8—Messrs. Maxwell, Hall and Gray.

Mr. Palmer introduced house resolution No. 43.

HOUSE RESOLUTION NO. 43.

*Resolved by the house,* That the secretary of state be authorized to replace the set of Hill's codes taken from the desk of Mr. Topping.

On motion, the resolution was adopted.

The house took a recess until such time as called to order by the speaker.

The house was called to order by the speaker.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
SALEM, Oregon,  
October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has adopted the report of the conference committee on the part of the senate relative to amendment to house bill No. 83.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## JOURNAL OF THE HOUSE.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 15.

And the same is herewith returned to you.

S. L. MOORHEAD,  
Chief clerk.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that the senate has passed senate concurrent resolution No. 13, fixing the time of adjournment of this extra session on Saturday, October 15, at 4:15 o'clock p. m.

And the same is herewith transmitted to you for the consideration of the house.

S. L. MOORHEAD,  
Chief clerk.

On motion, the house concurred in the resolution.

Mr. McCulloch, chairman of committee on enrolled bills, submitted the following report:—

## REPORT.

HOUSE OF REPRESENTATIVES, }

SALEM, Oregon,

October 15, 1898. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred house bill No. 83, beg leave to report that we have had the same under consideration, and respectfully report it back to the house as correctly enrolled.

J. W. McCULLOCH,  
Chairman.

The speaker announced that he was about to sign house bill No. 83.

The speaker announced that he had signed house bill No. 83.

SATURDAY, OCTOBER 15, 1898.

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MESSAGE FROM THE SENATE.

SENATE CHAMBER,

SALEM, Oregon,

October 15, 1898. }

*Mr. Speaker:*

I am directed by the president to inform you that he has signed house bill No. 83.

And the same is herewith returned to you.

S. L. MOORHEAD,

Chief clerk.

Mr. Myers moved that the house now adjourn *sine die*.

The motion prevailed, and the house stood adjourned.

## CHIEF CLERK'S CERTIFICATE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 27, 1898. }

I, A. C. Jennings, chief clerk of the house of representatives, do hereby certify that the foregoing is a true and correct journal of the proceedings of the special session of the house of representatives of the state of Oregon from the twenty-sixth day of September, 1898, to the fifteenth day of October, 1898, inclusive.

A. C. JENNINGS,  
Chief clerk.

## CERTIFICATE OF APPROVAL.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
October 27, 1898. }

Your committee appointed under house resolution No. 20, to examine, correct and approve the house journal of the special session of the legislature of the state of Oregon, hereby certify that we have discharged the duties required under said resolution, and that after a careful examination of said journal, we hereby approve the same as correct.

E. V. CARTER,  
C. J. CURTIS,  
E. H. FLAGG.

**CERTIFICATE OF THE SECRETARY OF STATE.**

OFFICE OF THE SECRETARY OF STATE, }  
 SALEM, Oregon, }  
 November 30, 1898. }

I, HARRISON R. KINCAID, secretary of state of Oregon and custodian of the seal of said state, do hereby certify that the foregoing 472 pages of copy contain a true transcript of the journal of the proceedings of the house of the twentieth legislative assembly of the state of Oregon, at the special session of said assembly, held from September 26, 1898, to October, 15, 1898, a the same appears on file in my office and custody, and is furnished to the state printer as provided for by house concurrent resolution No. 14 of said session. Repetitions, omissions, misspelled words and ungrammatical expressions appearing in the foregoing are exactly as were written in the original journal.

In witness whereof, I have hereunto set my hand and affixed the seal of the state of Oregon this thirtieth day of November, A. D. 1898.

H. R. KINCAID,  
 Secretary of state.



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## **GOVERNOR'S MESSAGE.**

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## GOVERNOR'S MESSAGE.

*Gentlemen of the Legislative Assembly:*

The constitution authorizes the governor, on extraordinary occasions, to convene the legislative assembly by proclamation, and, when assembled, devolves upon him the duty to state to both houses the purposes for which he has convened them. By virtue of such authority, and in compliance with this requirement, I shall endeavor briefly to state the reasons which have induced me to summon your body in special session.

### ELECTION OF SENATOR.

We are at a critical period in the history of our country. The next few years will mark an advance or retrograde movement in our national destiny. Not since the war of the rebellion has the statesmanship of our country been confronted with questions of such transcendent importance as those which have grown out of our victorious contest with Spain. They are questions involving considerations of such various sort and far-reaching effect, that they will require for their rightful solution the best brains and wisest heads of our country. Cuba and Porto Rico in the west, and the Philippine islands in the far east, have been wrested from their Spanish oppressor by our victorious arms, and are now in the possession of the United States, to be dealt with on those enlightened principles of justice and equity which animate the conduct of free governments. Hawaii has gravitated to us, by the law of political affinity, and by annexation has become a permanent part of our territory. All these islands lie within the tropical regions; their climate is mild and their

soil fruitful to exuberance, rendering the struggle for existence free from that constant labor and effort exacted by the rigor of the temperate zones. Their people are of an alien race, whose habits and customs, modes of thought and civilization, form of government and institutions, are different from our own, and whose condition of poverty, ignorance, and wretchedness is the result of pitiless taxation and merciless tyranny. As a consequence of these causes, and of blood adulteration, deteriorating the quality of their people, and weakening their mental and moral fiber, these islands, though richly endowed by nature, have been only partially developed, their civilization is stationary or backward, and in some of the Philippines a condition prevails that verges on semi-barbarism.

To meet these complex conditions and undertake their general improvement; to institute regulations aiming to revive trade, improve sanitary conditions, induce social reform, and aid in the educational and political advancement of these people; to win their loyalty by providing a government that shall lighten the burden of taxation, add to the wealth of the country by development of its natural resources and the interchange of trade and commerce, protect rights of property, and secure the blessings of civil and religious liberty, is an herculean task, demanding for its proper performance our best thought and wisest statesmanship. If we must retain these islands, or any part of them, considerations of this kind must confront us for determination. We are in legal possession of them, and cannot shirk the responsibility of our position. Can we give them back to Spain? Would not such an act be a crime and turn the glory of our battles into victories of dishonor? All commercial nations now are fighting for trade, and in their race of cupidity and inordinate ambition China is threatened with partition. We need the business of these islands. Exchange of products, natural and artificial, would be mutually beneficial to them and to us. We must find an

outlet for the surplus product of our fields and forests, our factories and workshops; we must share on equal terms with all other nations the opportunity for trade in the Orient, which our possession of the Philippine islands affords us. Their location is said to be the key to the Orient, and now to throw away the opportunity it affords would be worse than a blunder—it would be a calamity. What, then, shall we do with these islands? Shall we retain them as naval stations, or as a permanent part of our territory? And if the latter, what form of government shall be devised for them? Shall it be a protectorate, or a dependency, or what? These are some of the important questions which will confront our national legislature at its next session in December, and demonstrate the need of a full representation in that body. Already, commissioners to agree upon terms of peace have been appointed by the United States and Spain, and have received their instructions from their respective governments, and the strong probability is that they will close their labors and make their report before the meeting of the United States congress in December.

It is important, then, to our state and the nation, that we should have a senator present to assist in the discharge of the onerous and responsible duties of the senate. If his election be delayed until the regular session, he will not be likely to reach Washington until near the end of the session in February; but his election now will afford him opportunity not only to ascertain the will of his constituency, but to study the situation and acquaint himself with its environments, so as to be ready to render intelligent and faithful service when the session of congress begins in December, and when the country needs his service and the administration his support.

There is another matter incidentally connected with these considerations which furnishes additional reason for the election of a senator at the present time. I refer to the early construction of the Nicaraguan canal. The wonderful

voyage of the battleship Oregon has demonstrated the necessity of its construction, to protect our coast from depredation and our commerce from spoliation. Its building ought to be undertaken without further delay; it should be built, owned and operated exclusively by the United States. The canal should be in name and fact an American canal under American control. No corporation should be allowed to construct it, or supervise its operations. The building, though, of this isthmian waterway, uniting two great oceans, will necessarily affect the interests of all commercial nations, and give rise to many conflicting questions of public policy and international relations which our country cannot ignore, and which will require the wisdom of its best statesmen to solve on principles of justice and equity. But built this canal must be, whatever the responsibility it imposes, to meet the demands of our growing commerce, and to strengthen our coast defenses. The signs of the times, the future development of our boundless resources, the growth of our industrial interests and commercial enterprises admonish us of the necessity of its early construction, and of the importance of organizing a naval force adequate to protect our commerce and coast from the depredations of hostile nations, and equal to the task of meeting all questions for which our government stands sponsor among the nations of the earth.

These considerations, gentlemen, are suggested as showing in part the necessity of an extra session, to enable your body to select a senator before the meeting of congress in December, and thus afford our state an opportunity to be heard in its deliberations, and to cast its full vote in determining these various important questions, which so largely affect the interests and welfare of our state and the states of the Pacific coast.

## APPROPRIATIONS.

The failure of the legislature to organize at its regular session in 1897 left the state without an appropriation of money to meet its current expenses, and in consequence many warrants have been issued for salaries and audited claims, and many vouchers exist for unaudited demands that need to be examined, and, if they are found correct, warrants should be drawn for their payment, after which an appropriation should be made of the funds in the state treasury to pay all such outstanding warrants.

The appropriation for such objects ought to receive your attention early in the session, to enable you to give full consideration to its various items, and prevent the payment of fraudulent or illegal claims. It would greatly augment the labors of the regular session to impose upon it the work of examining the accounts and providing appropriations for their payment, in addition to estimating the revenue to meet expenses for the ensuing two years. An appropriation bill is always exposed to more or less dickering and jobbery, and to have two such bills pending before the regular session, would afford too great an opportunity for raiding the treasury with swapping jobs, needless appropriations and pillaging contracts. It is better—far better—that the regular session shall be relieved of this work, and its time occupied with providing remedial legislation so urgently demanded, and enacting wise laws to advance the interests of the state and the happiness of its people. I am desirous that the affairs of the present administration shall be examined and closed, and not imposed upon the incoming administration. I want the decks of our splendid ship of state cleared and ready for action when my successor shall take her helm, though I trust that, during his term and under his pilotage, with banners streaming and sails set to catch the favoring gales, she may be wafted over summer seas on a prosperous voyage.

## COMMISSIONERS' COURT.

The business of the supreme court has increased so rapidly that the court is now behind more than two years in the hearing of cases. It is imperative that some relief should be afforded the court, so that a prompt hearing and adjudication of causes may be obtained. To afford such relief two remedies have been suggested: One is to enact a law that shall limit appeals to the supreme court, in civil cases, to those involving title to real estate, or matters affecting the public revenue, the construction of the constitution of the state or the United States, or where questions of franchise are raised, or where the amount of the judgment exceeds three hundred dollars; the other is to enact a law authorizing the supreme court to appoint three commissioners, for a term of four years, to assist the court in hearing and deciding cases. The objection raised to the first law is that every citizen should have the right of appeal, no matter how small the sum involved in litigation, and that its denial would affect largely the poor man, whose money demands are usually small. The second law suggested would be efficient to remedy the evil complained of, and is preferred by the supreme court. As the delay in hearing in some cases now practically amounts to a denial of justice, it is desirable, if a law is to be enacted authorizing a commissioners' court, that it should be enacted at this session, in order that such court may begin the work of relieving the congested condition of the supreme court docket as early as practicable, or at least begin its sessions at the first of the ensuing year.

## INTERNATIONAL EXPOSITION.

The act of congress, approved July 19, 1897, entitled "An act making appropriation to supply deficiencies," etc., contains a provision to the effect that the invitation of the republic of France to take part in an exposition of works of art and the products of manufacture and agriculture of all

nations, to be held in Paris, commencing the 15th day of April and closing the 5th day of November, 1900, is accepted, and that "the governors of the several states and territories be, and are hereby requested to invite the people of their respective states and territories to make a proper representation of the productions of our industry, and the natural resources of the country, and to take such further measures as may be necessary, in order to secure to their respective states and territories the advantages to be derived from this beneficent undertaking." In conformity with this provision, and with especial reference to the latter portion of it, the secretary of state of the United States, the Hon. John Sherman, in a letter to me as governor of the state, dated September 27, 1897, urges the propriety, as well as the necessity, of taking steps immediately to secure representations of the natural and industrial resources of our state, "to the end that an exhibit on behalf of the government of the United States, befitting its material and industrial importance, may be assured." Owing to the limited time now available for selecting and arranging the exhibits of our state, it is proper that this subject should be brought to your attention, for the reason that it is absolutely necessary, if our state is to participate in this great international exposition, that a law be enacted at once, providing for the appointment of commissioners, and appropriating sufficient funds to make a proper representation of the products of our industries and the natural resources of our state.

#### LOEWENBERG'S CONTRACT.

Under an act passed by the eighteenth legislative assembly, a contract was made with J. Loewenberg, of the Northwestern stove foundry, in July, 1895, for convict labor, and the board of managers of the state foundry leased him the plant and sold him the manufactured stock on time. His obligations to the state were not met; but in view of bad business conditions,

and the desirability of keeping the convicts employed, great leniency has been shown him. First, he was allowed an extension of time, and later, in the spring of 1898, a second accommodation was arranged for him, under which the Loewenberg & Going Company indorsed the notes of the North-western stove foundry; but notwithstanding these accommodations, Loewenberg has not kept his promises, nor met his obligations to the state. The sums due the state, with interest, aggregate a large amount. In view of these facts, I have deemed the matter of his default of such importance as to be a proper subject for your immediate consideration.

#### GENERAL CONSIDERATIONS.

I have purposely refrained from recommending any new legislation, except the organization of a commissioners' court, which the exigencies of the public service require without delay. In this case I have done so because I know there are few evils which affect the people of the state so seriously and injuriously as delay in the administration of justice. The bill of rights of our state, and of every free state, recognizes the evils resulting from such delay, and the necessity of their prompt removal, whatever may be the source from which they spring, by declaring that "justice shall be administered openly and without purchase, completely and without delay." I do not wish, however, to be understood as being averse to new legislation, or as doubting your authority to enact it, whether general or special.

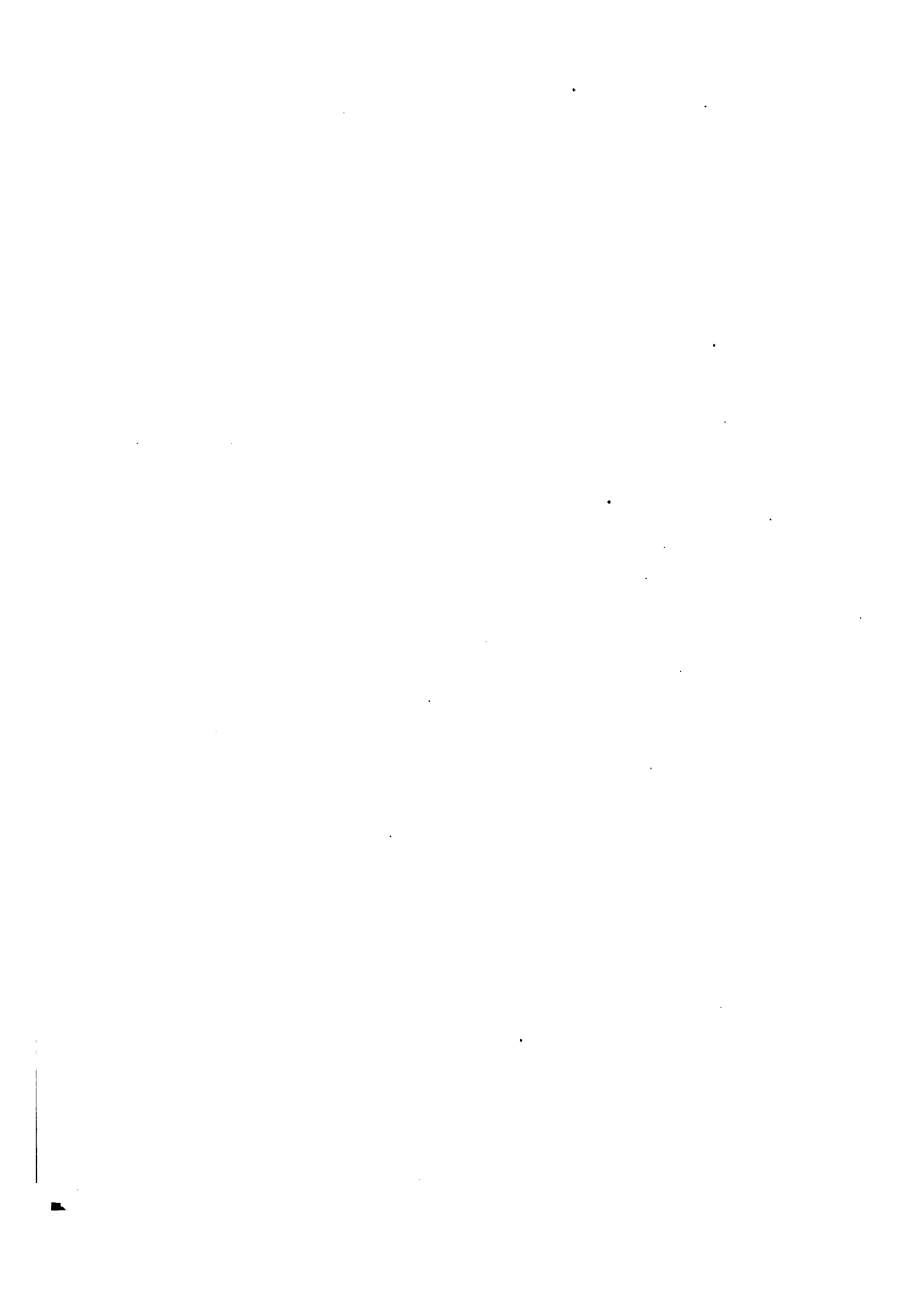
Owing to a senatorial contest, which only ended with the election of a senator in the expiring hours of its session, the legislative assembly of 1895 failed to enact much remedial legislation demanded by the people in the platforms of their different parties, and needed to correct existing evils, and the legislative assembly of 1897 failing to organize, there has been but little opportunity for legislation, and practically none of importance has been enacted, though the public interests have

greatly suffered in consequence thereof since the legislative session of 1893. Much legislation, especially of a remedial character, which properly belonged to those sessions, and still is needed for the protection of the public interests, must be considered by your body at its next regular session, in addition to its own legislative belongings, thereby greatly increasing your labors and responsibilities. It is always desirable that legislation affecting large classes of society in person or property should be examined with deliberation, and discussed with fulness, before enactment into law. In this way whatever defects lurk within the terms of a statute are likely to be discovered and eliminated, and whatever amendments are necessary for its improvement or efficiency may be suggested and added. The vicious habit sometimes indulged by legislative bodies, of hurrying important measures through their different readings, and especially appropriation bills containing obnoxious clauses, without investigation or discussion, is subversive of the time-honored custom of open debate, and inimical to the public good. Bills for assessment and taxation, for registration of voters, to preserve inviolate the ballot box, for the abolition of useless boards and commissions, for reorganization of the circuit courts by equalizing their judicial labors, for the revision of court costs, and especially criminal costs, which are a grievous burden on the counties, and for the appropriation of public moneys, and the like, require time for their proper examination, and should receive the fullest discussion before passage by either house.

To afford you time and opportunity for the full consideration of all such important matters, the regular session ought to be relieved of those more urgent matters of public interest, which need prompt legislative attention, by an extra session. In view of these conditions, not to call an extra session but to leave to the regular session the election of senator, with its exciting and often obstructive incidents, and two

appropriation bills, with their opportunities for trades and hold-up of important measures, would imperil, and probably prevent, the enactment of much needed legislation, and prove disastrous to the highest good of the state. For these reasons I have conceived it my duty to call an extra session, believing that you would meet its responsibilities with patriotic zeal and intelligent service.





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